



AKWESASNE NOTES

WHERE THE PARTRIDGE DRUMS

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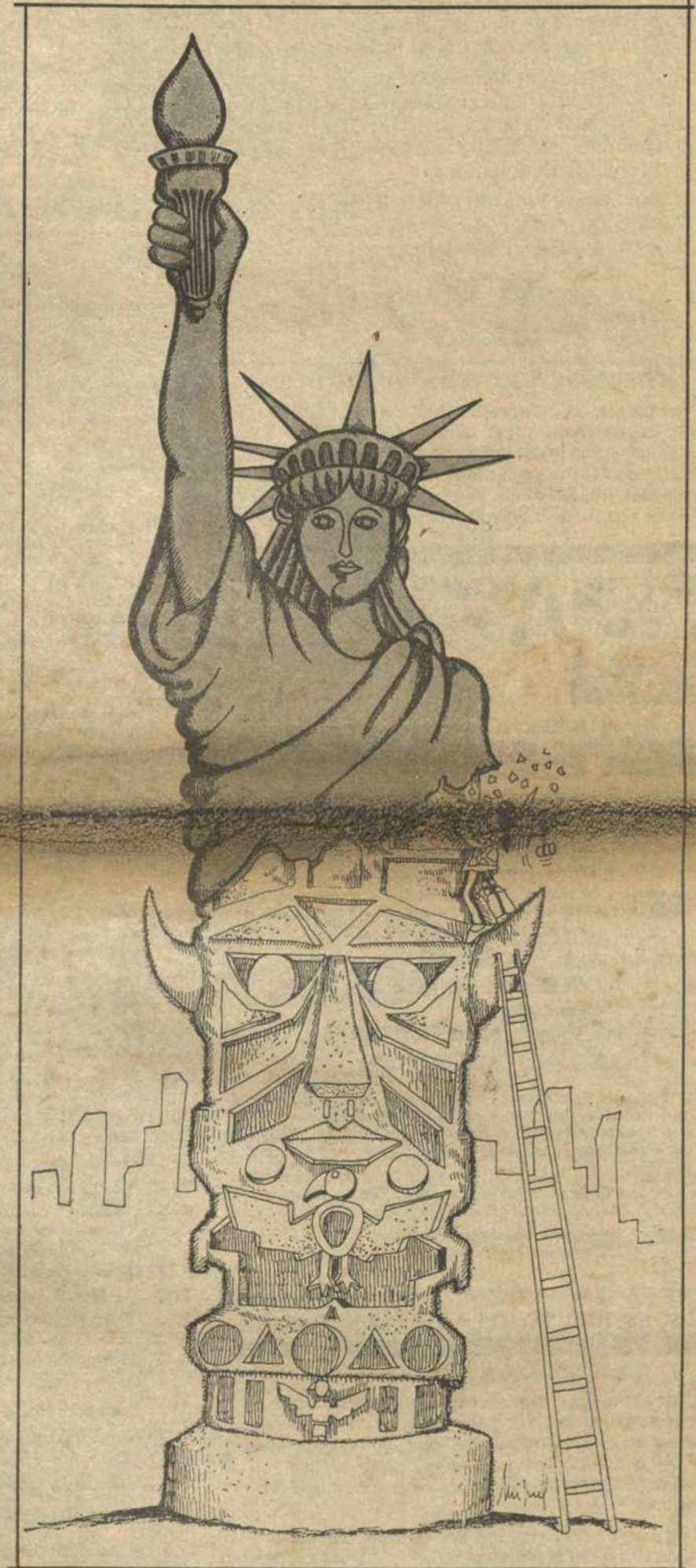


The Oglala Nation Hosts Treaty Talks with U.S. — Frank and Ms. Fools Crow



—photos by Heather Koppel

Oglala Leaders and Headmen Address U.S. Bureaucrats on Wounded Knee



Miguel, en Journal do Brazil

PINE RIDGE — NORTH CAROLINA — GALLUP — POMO NATION — PAWNEE, OKLAHOMA — TRAIL OF BROKEN TREATIES

The Struggle Continues
WOUNDED KNEE

SUMMER-TIME BLUES

Again — the rush of news in matters of concern for native peoples is staggering. We have given special coverage to the events of Wounded Knee because we consider that a distorted picture of a very significant historical event has been sent out all over the world.

But there are many other events that we have not had space to cover in this issue, and another issue is already in preparation. There are special reports on Washington State fish-ins, a financial scandal with the San Carlos Apaches, water rights in the southwest, atrocities to native people of South America, as well as a resumption of our normal pages of letters to the editor, book reviews and features. And Canadian coverage has been sadly neglected — there are important events such as James Bay and Manitoba flooding that need to be understood.

We invite the participation of all readers to help with the finances necessary to get the next issue out as soon as possible. Usually summer is a bad time financially — people travel, relax, and forget their donations.

If you haven't help NOTES to survive recently, financially or otherwise — now would be an ideal time to renew your commitment.



AKWESASNE ELECTED LEADER DIES

Art Lazore, 51, an elected trustee on the New York St. Regis Mohawk tribal council, died June 1st. Although he had been involved in land disputes with traditional Mohawks, he always felt he was acting in the best interests of his people, and his sincerity was never in dispute. We join those who mourn his loss.



AKWESASNE NOTES

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SEE PAGE 35 FOR INFORMATION ON BACK ISSUES, HOW TO HELP THIS NEWSPAPER

DO YOU HAVE A RED LABEL?

Look at the front page — check your address label. If it is marked in red, this is the last issue you will receive unless we hear from you. We hope you won't be angry — this is the only way we have of cleaning up the mailing list every so often since there are no paid subscriptions.

This month, it is some Quebec addresses, and those whose zip codes begin with "6" and "7". ALL YOU HAVE TO DO IS WRITE US if you are red-labelled and your name will be re-instated. This is not an appeal for money, although we would appreciate any support you may wish to send at this special time.

TO SUBSCRIBE

There is no fixed subscription price. But that does not mean the paper is free. Printing alone for this issue is over \$4,000, and typewriters, ribbons, postage, glue etc. will add another \$1,000.

Some people have lots of money, others have none. If you want the paper, we'll be glad to send it to you. If you want to help with the costs, we will appreciate that — that's the Indian way. Make it work.

Another issue is ready for mailing as soon as funds for printing have been received.

How It Is With Us:

Just before the last issue was sent to the printers, we verified with postal authorities in Washington, D.C., that our second-class permit had been granted. That issue, the special report on Wounded Knee, was sent happily off with the good news to our readers.

After it was printed, however, just a few days after we had called Washington, we were informed that, in fact, the application was still pending. It had been stalled at higher levels in the postal chain of command, "for clarification."

That meant that we had to deposit equivalent third class rates — about 400% higher than second class rates — seriously cutting into funds needed to operate.

And as this issue goes to press, we face the same situation — postal authorities have still not acted on our application on which we were promised "speedy action" when it was submitted last March.

Our former permit was cancelled through political shenanigans and pressures — and we still don't know if our current delays are to be blamed on bureaucratic slowness — or whether the post office is being subjected

What's Happen On The Powwow Trail

CALENDAR OF EVENTS

(Events listed here have been sent to us by readers.)

(People planning to attend powwows, dealers, etc., are invited to obtain White Roots of Peace calendars, AKWESASNE NOTES, and posters for resale. Wholesale prices are available on request. These sales can help us survive while you enjoy the powwow circuit.)

JUNE

16-23 Rochester, N.Y. — American Indian Week at Long Ridge Mall. Sponsored by American Indian Club of Rochester. Contact Rodney Johnson, 40 Nicholson st., Rochester.

21-24 Hominy, Oklahoma — Osage Dances. El Reno, Oklahoma — El Reno Exposition and Powwow. Cache, Oklahoma — Chief Wild Horse Powwow

28-30 Baton Rouge, Louisiana — United American Indian Powwow. Contact: Indian Angels, POBox 52883, Baton Rouge, La. 70805.

29-1 Bismark, North Dakota — United Tribes Powwow.

30 Tishomingo, Oklahoma — Chickasaw Festival.

JULY

2-4 Carnegie, Oklahoma — Kiowa Gourd Clan Quapaw, Oklahoma — Quapaw Powwow

4-6 Gowanda, New York — Pat Butcher's Sacred Unity Fire. Cattaraugus Reservation. Contact: Karla Button, Four Mile Level Road, Gowanda. (716) 532-2806.

5-8 Pawnee, Oklahoma — Pawnee Homecoming.

6-8 Lebanon, Connecticut — North American Indian Club Sixth Annual Friendship Days. Contact: E.A. Malone, Oliver Road, Lebanon, Connecticut 06249. Phone: 642-7122.

6-7 Ringer, Oklahoma — Caddo Annual Dance.

6-8 Colorado Springs, Colorado — American Indian Encampment (tentative).

7-8 Berrien Springs, Michigan — 4th annual All-Indian Powwow, Potawatomi Indians. Contact: James Topash, 116 S. Detroit St., Buchanan, Michigan 49107. Phone: 616-695-5937.

13-15 File Hills, Saskatchewan — Star Blanket Band Powwow.

13-15 El Reno, Oklahoma — Cheyenne Nation Intertribal Fair. Stroud, Oklahoma — Sac and Fox Powwow

19-22 Red Rock, Oklahoma — Oto Powwow

20-22 Walters, Oklahoma — Comanche Powwow

20-22 Mayetta, Kansas: Potawatomi Powwow

27-29 Wichita, Kansas — Mid-American all-Indian Days.

27-29 Capilano Reserve, nr Vancouver, B.C. — 4th annual International Powwow War Dance Competitions. Box 34156, Station D, Vancouver, B.C.

27-29 Oklahoma City, Oklahoma — Powwow.

27-29 Sheridan, Wyoming: All American Indian Days (tentative).

29-5 Morley, Alberta — 4th Indian Ecumenical Conf. for religious leaders and native people. Contact: Nishnawbe Institute, 11½ Spadina Road, Toronto, Ontario M5R 2S9.

28-29 Ludington, Michigan — Powwow. (616) 757-3132.

27-29 Kansas City, Missouri — Kansas City Indian Club Powwow, Benjamin Stables.

TAPES VIDEOTAPES VIDEOTAPES VIDEO

Dave Baker of the Anishnabeg at Lac Court Oreilles is working on a 30 minute and 90 minute videotape on Wounded Knee, using material shot by a number of video collectives. More material is needed: if you have tapes, please write to him.

And if you wish to order a videotape for use in your area — either on purchase or rental basis — they should be ready for you in July. Write for prices and information.

Dave Baker has been assigned by American Indian Movement to coordinate videotape activity. As a courtesy, distribution will be through AKWESASNE NOTES. Write:

Dave Baker
AKWESASNE NOTES
Mohawk Nation
via Rooseveltown, N.Y. 13683

to political pressure to stall us off. We do know we are about to go under financially if something doesn't happen soon.

Persons wishing to help us will find that letters to the Post Office in Washington will be answered with a form letter telling you how they deal with all applications fairly, and that they are sure you wouldn't want any special favors. The only answer we can see, corny as it may sound, is to contact your senators and congressmen, and ask them to make an inquiry why we don't have our second class permit yet. We aren't asking for special favors — we believe that AKWESASNE NOTES is a legitimate candidate for second class rates just as is the New York Times, that we have fulfilled all requirements — and we have waited long enough for action.



Robert F. Kennedy . . . a voice of support still felt

The Kennedy Journalism Award

In April, a group of NOTES staff people went to Washington, D.C., to receive an award from the Robert F. Kennedy Memorial Foundation for "exemplary service to the Native American community." The citation was one of a number presented to efforts "distinguished for their excellence, but [which] also stand as exemplars of what imagination, initiative, and compassion can produce."

Recipients of the award were selected by a committee consisting of Jules Witcover of *The Washington Post*, and including Paul Delaney (*New York Times*), Haynes Johnson (*Washington Post*), Elizabeth Drew, (*Atlantic Monthly*) and Roger Mudd of CBS News, aided by a group of nine judges. There were 137 entries in the newspaper classification.

Awards were presented at a luncheon in the John F. Kennedy Center for the Performing Arts. The previous evening, there was a reception in the home of Ethel Kennedy, which the Mohawk delegation left with a deep feeling of friendship for the Kennedy children.

"Sometimes when the task of producing NOTES seems impossible and harassment adds discouragement," Rarihokwats, NOTES editor, said of the award, "a voice comes from the Spirit World, a voice remembered for its friendship, to give us strength. The award is accepted on behalf of the thousands of participants who make NOTES possible — and with the promise of even deeper commitment on our part to make NOTES a stronger voice for all natural peoples and the Creation."

Regarding NOTES

The truth of the matter is that we don't really exist. NOTES is a figment of your imagination, and its only reality is the copy you hold in your hand. Visitors who come "to see NOTES" find little to see. It ain't like touring the *New York Times*. Much of the editorial work is done by people who travel much of the time. The printing is done commercially. Mailing is done at one ordinary house, and graphics done in another.

We tell you all this for two reasons — many people say they want to come "to visit" and while we are glad to see that interest, and we want to be hospitable, it is in everyone's best interest at this time that we ask people to hold off for a while — maybe some day we'll be equipped to be able to extend traditional hospitality.

Which brings up the second reason. We really need a place to call our own so that we can do a decent job of getting out the news — we are often embarrassed by our ineptness, caused often by lack of enough hands to do the work, and enough space to do it in. Our first choice is to build something simple, close to Akwesasne, where our roots are, and where many faithful and helpful allies live. We don't need much — but our present circumstances sometimes are ludicrous.

Existing income, however, just covers operating expenses. Anyone with ideas or offers regarding funds for land purchase and modest construction is asked to write us. Surely someone has contacts with people with access to funds — people who are interested in the survival of AKWESASNE NOTES.

MOVING? PLEASE SEND US YOUR CHANGE OF ADDRESS — IT SAVES US MONEY, AND INSURES YOU WILL GET NOTES.
(be sure to include your old address & zip code)



(Thanks to Dan, who came to Wounded Knee to help. His cartoon, reprinted here, was widely distributed in the Pine Ridge area.)

Into The Second Month: No Settlement Yet



March 28 and 29, 1973

As the occupation of Wounded Knee moved into its second month, there was little hope of settlement in sight. Granted, a cease-fire was in effect and in its third day, but the U.S. negotiators either had not yet grasped the dynamics of the situation they faced — or they refused to recognize them.

The American people were being victimized by the confusion of the U.S. negotiators, since the press was being kept out of Wounded Knee by U.S. armed force, and newspaper reports were limited to items beginning, "Government spokesmen said . . ."

Tremendous confusion was also arising from the actions of tribal council chairman Richard Wilson and his supporters, who seemed to be taking positions the U.S. itself would like to take, but which it legally could not. For instance, any Wounded Knee supporters who even came near Federal roadblocks were arrested — and yet Wilson had ordered his own roadblocks, fully armed with federal weapons, just outside the FBI blockade. Thus when the U.S. officials were ordered by a District Court to allow attorneys inside Wounded Knee to facilitate negotiations, it was Wilson's gunmen who stopped them from entering.

U.S. vs. U.S. — The Court is Thwarted

Earlier in the week, U.S. District Judge Andrew W. Bogue of Rapid City had issued a court order that allows up to six lawyers to enter Wounded Knee, ordering the U.S. roadblocks to allow them free passage. The Justice Department had taken the matter to the U.S. Court of Appeals in St. Louis, trying to get the order rescinded, but the appeals court turned down the request. That's when the tribal council roadblock took over, preventing the passage of the lawyers. The Justice Department officials, all fully armed, did not seem to object.

Ramon Roubideaux says that the double standard of justice on the reservation is quite evident. "Anytime a guy in tribal government commits a crime — steals something or beats on someone — we can't get anything done, but let some Indian citizen do the same thing, and he is arrested immediately."

Over 150 persons have been charged with obstructing federal officers near Wounded Knee when they just approached the roadblocks, Roubideaux said, but the tribal council "vigilantes" had roughed up U.S. Marshal George Tennyson and several lawyers, and were not arrested.

"Wilson's goons are violating U.S. District Court orders, they are not allowing food in, they are not allowing innocent people to leave, they are preventing negotiations," Roubideaux said.



Vernon Long, leader of Oglala Sioux Civil Rights and Liberties Group, and the Landowners Inter-District Council and Treaty Council, which originally requested the help of AIM, said that the petition with 1,441 names (about half the voters) to revoke the tribal constitution had been filed with the Interior Department, and that resignations mean that the tribal council did not have a quorum — therefore Wilson's actions are unlawful.

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"Wilson is now organizing an army of non-Indians and a few Indians consisting mostly of ranchers and merchants in and near the reservation," Long said. "They are armed with the latest weapons and they have issued ammunition, weapons, and whiskey and threaten to murder all Indians in Wounded Knee, even his own people." Long pointed out that "such irresponsible statements are inflammatory and Wilson's disregard of the U.S. District Court order is grounds for his immediate arrest."

Assistant Attorney General Kent Frizzell, the chief government negotiator, was insisting that the occupation force was really two separate groups who were fighting with each other: the Oglala Sioux Nation consisted of 100 persons, he said, and wanted to surrender, but the American Indian Movement people consisting of 60 persons were preventing them from doing so.

"These rumors are being spread by the U.S. Government as a scare tactic," said Ted Means. "Divide and conquer is their tactic, but there has been no division."

Mark Lane, an AIM lawyer who was able at one point to get past Wilson's roadblocks, also disputed the news of a split.

"I was there yesterday, and incredibly enough, in the midst of this 'mutiny' or 'riot' there was just this peaceful, calm community of men, women and children. There were no members of the press at all in Wounded Knee when I was in, and therefore it is a little bit hard to understand where the information about what is taking place comes from. We were at a meeting — opened by Russell Means who the media had informed us had fled to Cuba with \$6,000."



A new government agency was also on the scene: the American Indian Task Force, part of the civil rights division of the U.S. Justice Department. Dennis Ickes, deputy leader of the task force, was listening to grievances in a tipi in Wounded Knee, and another attorney was hearing complaints in other places on the reservation.

Whether the strategy was to make people feel better by having a sympathetic listener in the best of psychiatric tradition, or whether there would be real action in the best of legal tradition was not known. Civil rights complaints have been rampant on the reservation for months now without government action.

"It may not be momentous news," Frizzell said. "But I think it is a step in the right direction."

Members of the Justice Department's Community Relations Service had remained in the village overnight. This group's purpose is to facilitate communications to prevent unnecessary violence, and are supposed to be completely separate from government activity or pressures. They were trying to set up short-wave radio communication between the Oglalas and the U.S., since the tribal council gunmen kept ripping off the telephone wires which had been used for that purpose.

With some residents of Wounded Knee unable to get to their homes because of the roadblocks, the American Red Cross was giving food and clothing to 340 persons. That fact speaks to the poverty of the reservation, since that figure is far above the usual population of the area, and others have come to get the welcome, although modest, handouts.

Meanwhile, the U.S. officials estimate it costs more than \$50,000 a day to maintain the operation at Wounded Knee, just for marshals and FBI agents alone.

Miss Indian America Speaks

Louise Edmo from the Shoshone-Bannock reservation in Fort Hall, Idaho, spoke from Sheridan, Wyoming, where Miss Indian Americas are crowned each summer to the delight of American tourists. She said she didn't

see how the U.S. could meet the AIM demands and "still serve the Indian people on the reservation." She added that Indians on her reservation in Idaho didn't support the Wounded Knee takeover.

Miss Edmo said that one impact from the incident would be "more recognition that our tribal councils are the true representatives of the Indian people, and more recognition of the fact that Indian people might have something worth listening to."

In the U.S. House of Representatives, Congressman Devine charged that AIM was living proof that OEO federal funds, earmarked for the poor, had been directed to extreme revolutionary groups. He charged that the AIM survival school in Minnesota "taught the young many of the Black Panther doctrines."

Congressman John Rarick of Louisiana added his own charge that the news media had sunk to a new low in giving publicity to the "renegade AIM" which, he said, decent respectable Indians regard as "an illegitimate scalping party out to undermine their image as full-blooded American citizens."

The Senator from Oklahoma

In Washington, Dewey Bartlett, former governor of Oklahoma, rose in the Senate to express "concern" over the harm Wounded Knee would do to "the entire Indian movement." During his term as governor, he said, "great strides" had been made in helping the Indian by peaceful means, and that "incidents such as Wounded Knee can only serve as a setback to that progress."

"The Washington Post sympathetically called it a 'cry of anguish.' More correctly, it should be termed an insurrection by a very small minority of anarchists," Bartlett said. "Naturally tribes throughout Oklahoma and the country are indignant at this blatant attempt to seize power. No concession or compromise should be shown these criminals. To do so would not only invite future incidents, but also be a slap in the face to those Indians who have displayed such a high regard for the law and who have worked hard to bring real progress to the Indian movement."

Senator Thomas McIntyre of New Hampshire, however, introduced into the Congressional Record 23 letters written to him by the ninth grade students of Pamela Hubbard of Spaulding High School in Rochester, New Hampshire.

"I want to share with my colleagues their expression of the feelings of millions of Americans that the time has come for justice for native Americans," Senator McIntyre said.

Whether the power of Dewey Bartlett or the power of Spaulding High School's ninth grade would prevail in North America and specifically at Wounded Knee remained in the balance.



EARLY SUMMER, 1973

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A QUESTION OF SOVEREIGNTY & FREEDOM.....

(St. Paul, Minnesota, attorney Kenneth Tilsen spent the week of March 21-29 in Wounded Knee, representing the Minnesota Lawyers Committee for Justice. This is a portion of his report to Paula Giese writing for New American Movement, published at POBox 5061, Berkeley, California 94705.)

On Friday, March 23, I went to Wounded Knee with court instructions for the federal marshals in connection with a confrontation at the barricade the government had just set up. Several Onondaga Nation chiefs, who had been in Wounded Knee, wanted to leave. They refused to allow the FBI to fingerprint them or search them at the checkpoint, and were being held until they did. Our instructions ended this confrontation and allowed them to leave unmolested.

In spite of the legal nature of my errand, I personally was told by the U.S. Justice Department at the scene that if I so much as approached the barricade from the outside, or spoke to anyone, I'd be arrested, court or no court.

... The role of [tribal council chairman Dick Wilson] and his recruits is obvious to anyone who is in the area for any length of time. At a public meeting in Rapid City on March 28, the highest government official in the area, Kent Frizzell, openly admitted that an agreement had been made with Wilson not to arrest his vigilantes for their law violations and violence. This allowed them to set up an illegal roadblock, to violate court orders requiring passage of food and medicine, and to continue, unarrested, firing from surrounding positions into the streets and houses of the village. Frizzell said the agreement not to arrest was that Wilson "should try to get the vigilantes under control" because their crossfire from between and outside the federal lines was "endangering the lives of FBI men and federal marshals." (It is generally acknowledged that a vigilante most probably shot U.S. marshal Lloyd Grimm accidentally.)

When asked by lawyers and others why the Justice Department did not deal with the vigilantes Frizzell replied, "The situation isn't right now," even though they are quite apparently interfering with U.S. officials in the performance of their legally-sanctioned duties.

[At one point, assistant attorney general Richard Hellstern told Tilsen, "Wilson and his gang were more drunk than usual, so they let your friends go through, referring to the passage of food through the roadblocks on one occasion.]

U.S. officials obviously want the vigilantes to do their dirty work. The officials do not want outside communication between Wounded Knee and the outside world, legal representation, press presence, food and medicine to enter.

Frizzell and other government officials have also admitted both publicly and privately that the Wilson regime was not fairly-elected — there was ballot stealing and other irregularities — and that a new election was needed, something the tribal members have been demanding for some time. They also declare openly that under present conditions of repression and terrorism imposed by Wilson's "reservation police" a "free" or fair election is impossible. They speak vaguely of the need for special precautions, like those taken in the recent United Mine Workers Union election, where for years, a corrupt and repressive leadership used force, fraud and murder to maintain its power against the UMW members. The comparison of the UMW and Pine Ridge situation is frequently made by government officials.



The Wounded Knee/Pine Ridge situation became a crisis because of [U.S.] government complicity with Wilson and other government-supported "tribal leaders." During the months immediately before the takeover of Wounded Knee, reservation Indians filed some 150 separate written complaints of civil

rights violations against Wilson and his "reservation police." Many of these involved physical violence, and threats of it. Not one of these legal complaints was responded to by the [U.S.] federal government.

Wilson has now considerably expanded the numbers of vigilantes he commands. Local white ranchers — who have advantageous arrangements made with the present "tribal leadership" to lease tribal lands — have been recruited. Notices were posted in bars for hundreds of miles around, offering the "job" of "cleaning out the Communists" from Wounded Knee. Wilson also obtained the Ku Klux Klan-type films, widely used in the South in the early 1960s, to stir up feelings and actions against civil rights workers and black people. Wilson shows them now to recruit whites. Sometimes Wilson deputizes his barroom recruits as "reservation police", sometimes not, depending on whether it is more expedient to present their actions to the press and public as "Indian" or more expedient to be able to disavow their actions. Arms, ammunition, supplies and U.S. government trucks and other vehicles have been supplied in large amounts to these vigilantes — we could see the equipment they were using, of course, and we were under fire from rapid-fire weapons. We saw them being resupplied from helicopters when they had used all their ammunition in constant firing into the village Monday.

The press has given the impression that a few "outside agitators" — particularly AIM leaders from Minneapolis/St. Paul — are responsible for this situation. This is not true. The basic cause is intolerable living (and political) conditions for the reservation's 13,000 Sioux, conditions made worse by corruption and brutality of an "Indian" regime that has no power to redress political and economic injustices or to alter conditions for the better.

The only opportunities are for graft and patronage — opportunities which are taken. This regime's real function is to serve as an intermediary that "legitimizes" actions and policies that favor white economic interests.

The Sioux Liberation Movement actually began at the end of World War II. It was an attempt to get back the Sioux lands seized during the war, some for a gunnery range. The land problem is very serious. Pine Ridge Reservation's lands have been cut from 9,000,000 acres to 3,000,000 — and the land they are left with is some of the worst in the world. The somewhat better land was taken,



The part of their land that can be used for grazing (much of it now under lease to local white ranchers) is so poor that it takes 25 acres to graze one steer. A government agronomist estimated that if the 3 million remaining acres were fairly divided and distributed, the usable portions could support only 300 families. This is the land on which Pine Ridge's 13,000 Sioux eke out a miserable existence.

This economic background has to be kept in mind when we consider what the Independent Oglala Nation — 350 of them occupying Wounded Knee — want. They want the freedom to determine their own lives and destinies as a sovereign people, a freedom they were supposedly guaranteed under a host of broken treaties.

The U.S. government's representatives do not want to understand this desire and what it means; nor has the press transmitted what the struggle is really about. One feels what the desire means when one is in the "liberated zone" — Wounded Knee. Even though the town is under almost constant fire (for one day and night no one could venture out of any of the buildings, so heavy was incoming fire from the surrounding hills), even though the food is scarce and living conditions poor, this is one small spot of ground where the people have created their own government, where they run their affairs according to their own traditions.

The defenders of Wounded Knee have wide support from the 13,000 Oglala Sioux living in villages scattered around the reservation for hundreds of miles. Wounded Knee is a hamlet in which about 400 people usually live. There are about 350 people there now (March 31). About half of these are original residents and most of the others are from Pine Ridge [Reservation]. There are 240 "original residents" who want to return — even under these circumstances — but the [U.S.] government won't let them.

... The government distributed fliers through the village about two weeks ago telling the residents they must leave, that the government was going to come in shooting. So some people left. As they left, they were stopped on the road. "Where are you coming from?" "Wounded Knee, where I live." "You're under arrest."

Later, information was distributed telling residents to return to their homes. "Where are you going?" "Wounded Knee, where I live." "You're under

arrest." We were able to get the outrageous bail reduced for these cases, and most of these people are out now, living more or less as refugees.

Another indication of the high level of support for the Independent Oglala Nation and the defenders of Wounded Knee is the help the people living on the reservation have given them. The defenders of Wounded Knee have been able to move freely through the Oglala Sioux territory, visiting villages many miles away, calling public meetings attended by hundreds raising money, food, and other supplies. This territory through which they freely move (eluding several hundred federal and vigilantes) is the area that supposedly supports the "elected tribal leadership" and is patrolled by "reservation police."

The defenders of Wounded Knee are very much "fish swimming in a friendly sea", the classic description of guerrillas who have wide and strong support from their people. If that were not the case, the occupation of Wounded Knee, now entering its second month, would long ago have collapsed under the siege of the U.S. government.

The federal officials repeatedly try to find "natives" who bolster their claims that the local residents don't support the "handful of outsiders" in Wounded Knee. I was present during one of the most blatant of these attempts, Tuesday, March 27. Several of us lawyers had entered the town Sunday and I was selected to stay overnight, perhaps because I have worked with St. Paul AIM people in the past and am therefore known to them. Sunday night, the heavy firing into the village began. We estimated the village took 20,000 rounds of firing during the next two days. The government says 5,000. The press says nothing.

Very few people understand the depth of commitment of the defenders of Wounded Knee. It is not rhetoric for them to say they are willing to die for their people's independence...

The young men defending Wounded Knee are militarily skilled and trained. Almost all are Vietnam veterans, and most of those were in the Special Forces — the Green Berets. In Southeast Asia, they learned about guerrilla warfare, courtesy of the U.S. Government, and now they are using what they learned for their own people...

We should understand the political significance of their struggle and support it. They are confronting the U.S. government's complete unwillingness to take seriously their claim to be recognized as a free and sovereign people — a claim guaranteed by numerous treaties whose violation is a continuing shame to us all. In part, the Independent Oglala Nation is trying to "go back" to the freedom and sovereignty they had before they were conquered and robbed. They were then a people of free nations. This is what they want, rather than a paper recognition of "sovereignty" that has self-contradictory characteristics of many of the treaty agreements, which robbed them of the lands to support a meaningful independence. They are trying to build a free society in which they can live by the beliefs and values of their culture and also survive in the Twentieth Century. Whether they can win will depend on their own determination and on mass support. Government propaganda has been a major factor in discouraging this kind of support.

Officials I've talked to all think they can tinker with minor parts of Bureau of Indian Affairs tribal government and solve the problem... It can be expected that there will be many hundreds of trials, and probably an attempt to "break the Indian leadership" of the struggles for independence and sovereignty by imprisoning leaders. The Wounded Knee defenders have made it clear that they will not bargain away their substantive demands for amnesty promises.



No Desire To "Spill Blood" U.S. Says

March 30, 1973

For the last twelve days, there had been no negotiations between the United States and the Oglalas. But a U.S. spokesman, Tom Evans, announced to the press today that talks would resume in the demilitarized zone — the DMZ — the following day.

Kent Frizzell, assistant U.S. attorney general, was happy, saying the climate for negotiations was the best it had been in several days — there was "a better feeling" on both sides, he said.

Frizzell added that the government had no desire to "spill blood" and that the U.S. was inclined to wait it out.

"A short-term solution which might lead to bloodshed is not so desirable to the government as a long-term solution based on negotiations," Frizzell told a press conference.

Dick Wilson, tribal council chairman, was outraged at this stance.

"If they'd just let me and my people go in there, we'd end this tomorrow," he pouted. And to back his claim that the place was full of criminals, he released a list of 54 persons who had been indicted by a federal grand jury in Sioux Falls.

The court had ordered the indictments to be sealed, and assistant U.S. attorney general Richard Hurd said that while the list was indeed authentic, Wilson could be charged with contempt of court for releasing the names. However, he was not charged.

Under government pressure, Wilson agreed to allow Ramon Roubideaux, attorney for the Oglalas, and Hank Adams, principal negotiator for the Trail of Broken Treaties, to enter Wounded Knee to confer with the occupation force.

Frizzell refused to allow any food to enter, although he said he would permit medicine to enter.



Tribal Roadblock . . . the marshals helps

Attorneys had been permitted to enter during the last week under terms of an order of U.S. District Judge Andrew Bogue. However, his temporary order was due to expire Saturday, March 31, and he said he had no intentions of renewing it.

"The attorneys have had ample time to advise the people of Wounded Knee of their rights and of the fact there are warrants out for their arrest," Bogue said. "The purpose of the temporary restraining order has now been substantially accomplished, and I cannot perpetuate any further confrontations."

FBI spokesmen were upset about a small yellow plane which flew over the area — they said it had dropped a parachute. However, the owner of a Gordon, Nebraska, flying service said that he had flown over the village but had not dropped anything.

Food supplies are low, although there were about 20 head of cattle on hand for butchering.

News men were still hampered by the U.S. refusal to allow them to enter the village to talk with the Oglalas. For instance, Frizzell was complaining that the list of demands kept changing — but his statements could not be verified. At one meeting, Frizzell said, he was told that the occupation force wanted only two things: law and order on the reservation and an adherence to the 1868 treaty with the Sioux. "If that was all, we could settle it today," he added.

That would be a surprise to all concerned, since it has been chronic treaty violations and the institution of a virtual police state on the reservation which had kept the Lakotah people oppressed. No one really believed that the years of denial could be changed in one day.

NOT THAT HUNGRY

March 31, 1973

Four government representatives met in a tipi in the DMZ — the area between Oglala and U.S. roadblocks — for negotiations. However, a U.S.-imposed ban on newsmen kept details of the conference a secret.

Tribal council chairman Richard Wilson, self-proclaimed opponent of a negotiated settlement, said he would allow one newsmen inside to serve as a pool reporter to brief other members of the press — but that reporter was allowed only as far as federal roadblocks and he was turned back. Robert Feldcamp, a Justice Department public relations man, was allowed in, however.



Russell Means, Wallace Black Elk, Ramon Roubideaux, and Kent Frizzell . . . meeting in a tipi in the DMZ

The negotiations were delayed from the 10 a.m. starting time until about 11:30 at the request of the Oglalas.

Ramon Roubideaux, an attorney acting for the Oglalas, said he was encouraged by the two-hour session.

"It was the first good, in-depth meeting on the issues since the occupation began," Roubideaux said. Previously, government negotiators would discuss only the terms of arrest, and not the demands of the Oglalas.

Assistant Attorney General Kent Frizzell said the only concrete result of the meeting was an agreement to continue the cease-fire. One definite dispute was the issue of food coming into the village.

"I offered to set up a dining tent in the vicinity of the forward federal roadblock so that anyone in Wounded Knee could come to the tent to obtain food," Frizzell said. However, anyone coming to the tent would have to submit to a search and would be arrested if there were a warrant for his arrest.

The Oglalas and their American Indian Movement advisors said thanks but they weren't that hungry.

Frizzell said he could not allow any food except milk and baby food through the roadblocks. "To my knowledge, the U.S. government has never given food to the enemy to sustain them," he said.

Since Wilson had already revealed the list of grand jury secret indictments, Frizzell handed AIM leaders a list of charges stemming from the occupation.

One of the most substantial demands is on the treaty, and on the restoration of the tribal form of government, both matters which Frizzell said would depend on the Congress and the courts, over which he has no jurisdiction. "This would be the one issue to dissolve differences between AIM and the U.S., and between AIM and the tribal government as well," Roubideaux said. He added that "systems of tribal government around the nation must be looked into."

The original Oglala government ceased to be recognized by the United States after the Wounded Knee Massacre of 1890, and an elected form of government was imposed on the reservation in 1935 under the Indian Reorganization Act.

Frizzell said he would be conferring with his superiors in the Justice Department about the U.S. position for further negotiations.

[In Gallup, New Mexico, today, over 1,000 persons, most of them native people, marched in support of local and national Indian goals, including Wounded Knee.]

Government officials — and Dick Wilson — were also looking out for Marlon Brando, who a few days earlier had declined an Oscar from the Academy Awards, citing the Wounded Knee situation as one of the reasons for the refusal.

"If he's in sympathy with those renegades and hoodlums at Wounded Knee, he can get back on his damned white horse and we will clear him off the reservation," Wilson said. "If he comes here, he should bring his damned Oscar and give it to Means and Banks — they're the ones staging the show," he added.



American Public Support For Independent Oglala Nation

April 1, 1973

Perhaps for the first time since the British people's revolutionary war of 1776, the American people gave their support to an armed insurrection against the government of the land. The Lou Harris Poll showed 51% of those questioned supported the Independent Oglala Nation at Wounded Knee.

21% of those asked opposed the native people. The balance of 28% said they weren't sure of where they stood. Harris reports that back of this public reaction is the 75% conviction that American Indian people have not been treated well — in fact, 60% said treatment was downright "poor."

59% of those asked felt that the treaties had been broken, and that native people had not been given a chance to determine their own future through self-government. 93% of those asked answered that they had followed the Wounded Knee incident through the media.

Most sympathetic to the cause are persons in the East, those who live in the suburbs, young people under 30, the college-educated, blacks, people with incomes of over \$15,000, union members, independent voters, and Catholics. That means that support cuts through a wide swath of the American people, Harris says.

U.S. Says Loaded Guns Show Bad Faith

And meanwhile back at Wounded Knee, negotiators were meeting again to try to end the 33-day occupation. Government negotiator Kent Frizzell, an assistant attorney general, complained that AIM militants were continuing to smuggle ammunition into Wounded Knee which was an indication that they were not bargaining in good faith, he said. He did not comment on whether U.S. forces were also keeping ammunition stocks in top supply.

Frizzell said that about 25 Oglala supporters had been sighted carrying ammunition and food into Wounded Knee, and two had been arrested.

But still, the Oglalas had submitted a list of ten demands in writing, and there was agreement on some of the demands, Frizzell said.

"I think the progress has been remarkable," Ramon Roubideaux, Oglala attorney, said. "I think we can reach an agreement within the framework of these issues." Roubideaux said that should agreement be reached on the ten points, the occupation force inside Wounded Knee would halt the occupation and go to the courts.

By nightfall, Frizzell said that "a consensus" had been reached on more than half of the ten demands. The negotiation session lasted about three hours. It had been the first time since the February 27 occupation that negotiations had been conducted for two consecutive days.

NO MORE MASSACRES

. . . The major contribution [the Government] can make is to halt immediately its own growing militancy, including the use of armored cars and foolish, provocative suggestions of the possibility of having to storm [Wounded Knee.] Granted the outrage at the shooting and paralyzing of a United States marshal, the worst possible course for the Government would be resort to naked force. Such an action could only inflame all Indians and vindicate the irresponsible militants of the American Indian Movement, for whom a second Wounded Knee massacre appears to have a certain romantic appeal.

The Government's best possible course would be to keep its forces minimal and deployed out of range of Indian guns. It does have an obligation, however, to stop the flow of weapons and ammunition into the hamlet, and it is hard to see why it has so far failed to do so. Beyond that, it can evidently rely on the swift deterioration of the Indians' position. . .

Many of the White House advisors, who surely must be having some input into the U.S. strategy, are veterans of the Alcatraz Island occupation, and there is growing evidence that the Alcatraz strategy handbook is being dusted off for use at Wounded Knee. If that is the case, the government would tighten the cordon around the area (at Alcatraz, water, electricity, boat service were cut off). Then they would play the waiting game, knowing that the realities of Indian life would pressure people to deal with problems in their families and communities and that the occupation force would dwindle. Then, almost mercifully, the U.S. moves in to end the occupation, pressing legal charges against a few of the remainder and guarding against a recurrence of the event.

(This editorial appeared on April 1, in the New York Times. It is quoted here in part.)

News Blackout In Effect At Negotiation Sessions



April 2, 3 & 4, 1973

With negotiations about all that was happening, and with the press excluded, news report on the armed confrontation at Wounded Knee became almost non-existent.

About all that could be said was that the U.S. agreed to use high-intensity lights instead of flares to light up the DMZ and the village at night-time. (Earlier, flares burned a house at Wounded Knee, as well as causing extensive grass fires.)

The only excitement at the blockades was when Richard Wilson's tribal council gunmen halted a relief medical team of two doctors, two nurses, and a medic which was supposed to replace the team inside the village. U.S. officials did not interfere with Wilson's action.

But despite the news blackout, there was action inside the tipi: after the fifth straight negotiating session, there was agreement on nine of the ten points by both U.S. and Oglalas, represented respectively by Kent Frizzell, assistant U.S. attorney general, and Ramon Roubideaux.

The April 3 session was held inside Wounded Knee itself, the first time the current negotiators of the U.S. would agree to entering the village.

The talks were conducted around a rectangular table inside the Church of God on the eastern side of the village. Frizzell and his aides arrived by helicopter and were given an armed AIM guard into the church.

Frizzell said that Richard Wilson was going along with the U.S. position. "I had a full and open disclosure of the proposed settlement with the president of the tribal council and several members of the council," Frizzell said. "There was satisfaction and agreement expressed by council members that such an agreement would be honored by them..." The reservation has been without a tribal council for several weeks since members had resigned to prevent a quorum — but the U.S. had continued to deal with Wilson as though he had full powers of the council.

"Crush the Armed Anarchists!"

In Washington, Rep. James A. Haley, a Florida Democrat, announced that the Indian Affairs subcommittee of the House of Representatives would have hearings the following week on the Wounded Knee situation, as well as the takeover of the Bureau of Indian Affairs last November. He said the hearings would be a prelude to an "in-depth examination" of the relationship between Indians and the Bureau of Indian Affairs. The full hearings were to be held after the Easter recess.

In the U.S. Senate, Dewey Bartlett of Oklahoma rose to assert that since "most of us would like to square things with our good Indian friends, Wounded Knee offers that opportunity." However, Bartlett's view is that the opportunity is to crush "armed anarchists" of AIM.



A U.S. Marshal, paid to stand guard in the cold at Wounded Knee to prevent food from reaching Oglalas —Associated Press photo

He also noted that the Justice Department was expecting to be paid by the Interior Department for well over a million dollars worth of protection services at Pine Ridge — likely from the Bureau of Indian Affairs budget.

The Legal Battles of Supporters

In Las Vegas, the U.S. announced that it was withdrawing charges against 13 persons charged with violation of the federal anti-riot law for attempting to transport food and medical supplies to Wounded Knee.

The "Outsiders" Turn Out to be Oglalas

Nine persons, armed with shotguns and rifles, were apprehended by FBI agents early April 4 as they attempted to slip out of Wounded Knee. All were charged with obstructing federal officers in the performance of their duties during a civil disorder. The group had initial appearances before U.S. Magistrate James Wilson. All but one were Oglalas, lending disbelief to the persistent claim by Dick Wilson that only a few of the occupiers were from his reservation, and that the trouble had been caused by "outsiders."

Those arrested were Chris Westerman of Manderson, S.D., Dwayne Camp of Escondido, Calif., Pat Jones of Rapid City, Lyle Looks Twice and Earl Janis of Manderson, Robert Moore of Parmalee, Walter Ten Fingers of Oglala, and Anthony Bush of Porcupine.

A group of medical workers sent out word that contaminated water and inadequate sanitation facilities was causing an outbreak of diarrhea among the children and the threat of both typhoid fever and hepatitis hangs over the village. Over 100 people had influenza or bronchitis, and many had pneumonia.

The 300 people in Wounded Knee "have been subjected to systematic starvation" and running water has been cut off to "arbitrarily force the inhabitants to use contaminated water," the medical workers who had been banned by Wilson said in a release. "We have exhausted every possible legal means to enter Wounded Knee for the purpose of providing medical care. Our efforts during the past five days have met with endless delaying tactics and deception on the part of the [U.S.] government."

The group consisted of Barbara Bell, R.N., Denver; Joe Alkana, medic; Alan Berkman, M.D., Adraenne Bernstein, R.N., and Barbara Zeller, M.D., of New York, N.Y.

Calling upon the International Red Cross, the World Health Organization, and the United Nations "to guarantee the basic medical and human rights of the Oglala people," the group also called on the people of the U.S. to demand the United States Government "cease forcing the Oglala people to bargain for their survival."

"Why Wounded Knee 1973"

(These thoughts are by Eddie Benton, executive director of the American Indian Movement chapter in St. Paul, Minnesota. It was first published in "The Seventh Fire," the chapter's mimeographed newsletter sent out from 553 Aurora St., St. Paul, Minnesota 55103.)

Love thy neighbor.
Do unto others as you would have others do unto you.
Thou shalt not steal.
Thou shalt not kill.
There shall be no other gods but ME.
Even though you gain the whole world...

Many times in silent meditation, many more times in the holy stillness of the sweat lodge, my mind searches, probes. My soul stands or drifts in the boundless reaches of the universe but the answer I seek fails to come.

Now White America asks, "Why Wounded Knee 1973?" It is not difficult to give a clear, concise answer in terms of materialism and physical needs. One

need only to search and digest the nationwide status of the Red People. We are the poorest of the poor. We have no control over the destiny of our communities, no economy of our own, the poorest health facilities. We are rapidly losing our natural resources and our land base. Organized religion and big Government have conspired at times to annihilate, assimilate, degenerate, conglomerate, terminate, inundate, legislate, excavate, segregate, separate, and at all times to HATE us.

I ask, "Why is it a people were given these sacred principles to live by? But more than that: 'Why does that people not live by those holy commandments?' Were these edicts given to that Nation by the Maker of All Things, or were they written by man that only we, the Red Race, accept and adhere to them? Are they canon law meant only for the non-White races?"

We ask you, America, "Why?" We ask you why you have broken every treaty, why do you hate your neighbor, why do you take everything and everyone you see? why do you kill — all that is around you? Why do you try to change the universal order? Know you not of the sacred circle? Why have you turned away from your God? You have broken every treaty — have you also broken your Covenant with your God?

And you ask, "Why Wounded Knee '73?"

... Do not ask me why. Instead, look into the mirror and ask why. Ask where — is justice, equality, peace, brotherhood. Ask this of the Pharaoh: "Where is freedom for my brother?" Ask the Pharaoh if we, the poorest of the poor, might glean the wheat fields.

Wounded Knee '73 is the manifestation of the war being waged on the Native Peoples of this land. It is the result of the divisionary tactics employed by this

government to pit Indian against Indian, tribe against tribe, brother against brother. It is our voice petitioning government. It is our Emancipation Proclamation. It is our blow for freedom. It is our warning of Sodom and Gomorah. Lest we change now, there will be wailing and gnashing of teeth — in your lifetime.

You have taken all there is to take. Yet would we offer this — we know of the sacred circle, the universal order, peace, brotherhood truth, honor, humility — it is yours for the asking. . .



EXTRAORDINARY PROBLEMS DICTATE EXTRAORDINARY SOLUTIONS

(This editorial appeared in the March 25 edition of the Detroit Free Press.)

To negotiate or not to negotiate under the guns of Indian insurgents at Wounded Knee is not the valid question. The reality is that guns have proliferated on both sides of the siege lines in the three weeks since Indians occupied the reservation trading post.

Given this unhappy armed situation, reason is on the side of peaceful negotiations. And talks through a presidential emissary, as proposed by the insurgents, can be the best and quickest way out of the impasse.

It's true that such seeming to give in to force may increase the chances that others with complaints against government might follow this same insurgent tactic. But it is also true that failure to deal effectively with decades-old problems led to the seizure in the first place. Extraordinary problems sometimes dictate extraordinary solutions.

One can deplore tactics and question the immediate goals of the insurgent Indians. We count ourselves among those who do just that.

We do not, however, count ourselves among those willing to pass a virtual death sentence on those who apparently believe that risking death is the only way left to them to force a full discussion of their complaints at the highest levels of our government.

There is need for the nation to seek major changes in the way government now controls the lives of reservation Indians. In the end, such changes will go further toward defusing insurgency than any weapon the government could wheel onto the firing line at Wounded Knee.

A Six-Point Agreement Signed

April 5, 1973

The headlines on America's newspapers were certain
SIGNATURES END SIEGE

There were photos of U.S. assistant attorney general Kent Frizzell puffing what the press called "the peace pipe." United Press International reported that while the pipe was passed, "A tom tom throbbed and Indians chanted ritual prayers."

True enough, a six-point agreement had been signed:

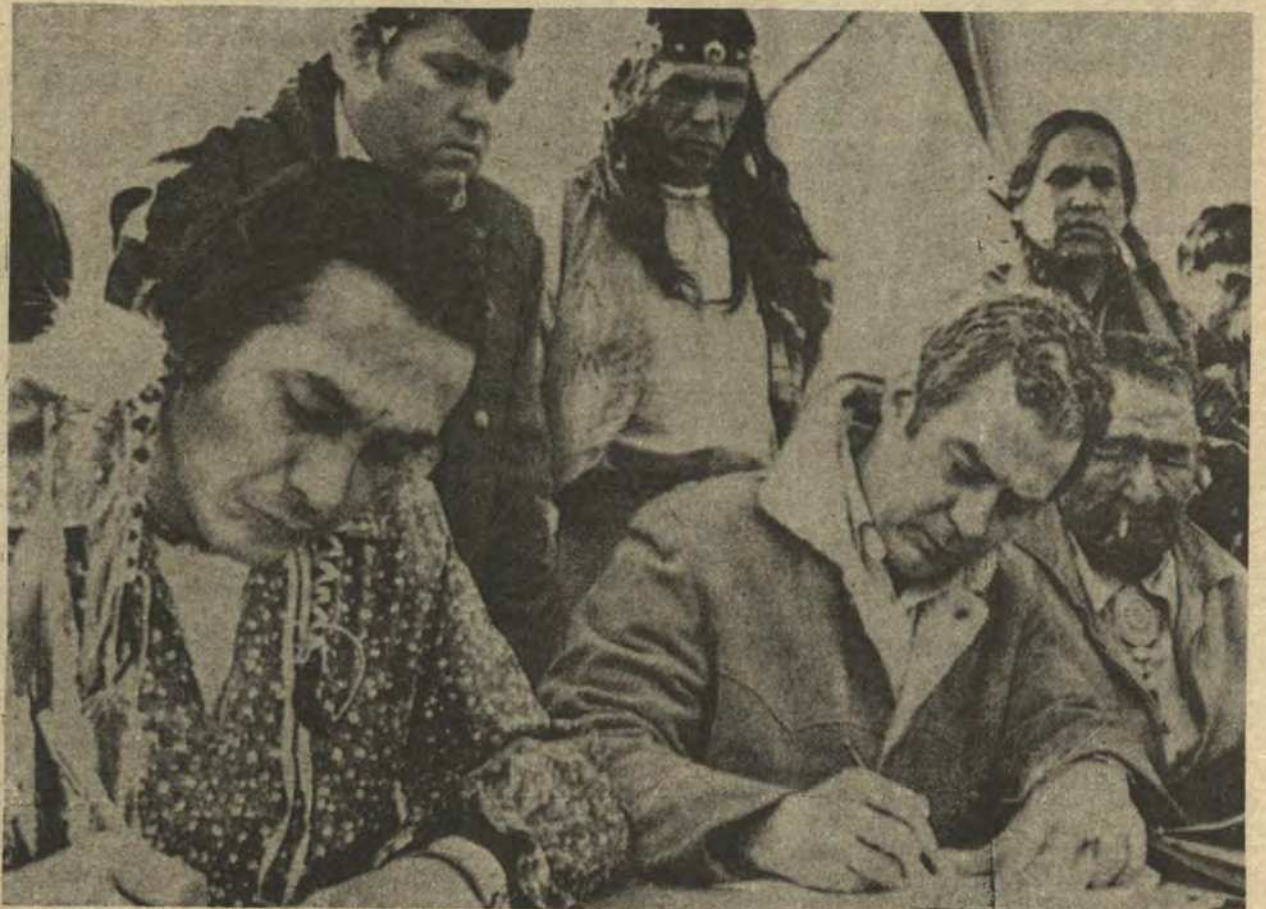
- Russell Means would submit to arrest and then he would go to Washington, D.C. the next day for weekend meetings with White House representatives.
- once that meeting is well underway, a disarmament program will get underway. There will be a 30 to 60-day delay in the arrests of those who have been indicted by a federal grand jury. (Some newsmen reported they had been told that the agreement said that when the Washington session was underway that the Wounded Knee people would submit to immediate arrest and arraignment.)
- There will be a federal investigation of Indian affairs throughout the Pine Ridge Reservation and an audit of tribal funds.
- The Department of Justice is to consider, and where appropriate, bring civil suits to protect the legal rights of all individual Oglala Sioux Indians against unlawful uses or abuses by tribal government or federal authority.
- A Presidential treaty commission will be set up to re-examine the 1968 government treaty with the Sioux Nation.
- both parties agreed "to effect meetings between representatives of the White House and traditional chiefs and head men of the Sioux tribes, bands, or different reservations, so that these Sioux representatives may outline the need for a presidential treaty commission which they propose as a method of re-examination of the 1868 Sioux treaty. These meetings will be held during the third week of May."

The exact meaning of all of this had been discussed in days of negotiations. And to keep his part of the bargain, Russell Means submitted to arrest by George Tennyson, chief U.S. Marshal for South Dakota, within the hour after the agreement was signed. He came to the chief federal roadblock where he was placed in handcuffs, and taken by helicopter to Rapid City.

The agreement was signed at an outdoor table in front of the tipi which had been used throughout the negotiations.

Frizzell, sitting cross-legged on the ground inside the tipi before the agreement was signed, told the Oglalas and AIM people: "I pray to my father in heaven, as you do to your Great Spirit, that the agreement we are about to sign is not full of empty words," and that "the promises will be fulfilled."

After the signing, everyone was happy. There was dancing, Indian leaders were given rides in the government helicopter, Kent Frizzell rode a pony. (Frizzell, who has run his own farm in Kansas, was acknowledged to "have ridden well.")



At the Treaty Signing: Russell Means, Richard Hellstern, Dennis Banks, Kent Frizzell, Tom Bad Cob, Crow Dog —Associated Press

Means was eventually released under \$25,000 bond and third party custody with a raft of binding conditions. He had nine counts against him: two counts of larceny, two of civil disorder and obstructing federal officers, and charges of burglary, assault with a dangerous weapon, arson, unlawful possession of firearms, and conspiracy.

The hearing was held in a small room at the Pennington County Jail. Bond was posted by Stanford Adelstein, a Rapid City businessman.

Adelstein said he had posted bond for Means so that Means "might appear in Washington, and so there would not be any further confrontation at Wounded Knee."

To get to Washington, Means had to agree to keep his attorney advised of his whereabouts, to reside at Porcupine on the reservation, not to associate or travel with persons who possess weapons, to refrain from personal contact with others which causes any danger of injury to persons or property.

Means was plainly unhappy with the hearing, which did not seem to match his own good faith in submitting to arrest voluntarily. After the 2½ hour session, he said it showed "the white man still refuses to listen and the white people of Western South Dakota will have to deal with me, with my relatives, and with all Indian people." He said dealings "must be on a much sterner basis until we force them to live up to their laws and apply those laws indiscriminately. If this is truly an honorable country, they will allow those involved with the Wounded Knee incident peace with pride."

Yet Means was happy with the signed agreement. He felt that the meeting set up in Washington for traditional chiefs and head men has "all the conditions of a history-making and precedent-setting event."

Means, through his attorney Ramon Roubideaux, indicated that part of his defense would be based on the 1868 treaty. Once before, he and other Oglalas had tried to get the treaty into court. In 1971, he was charged with federal trespass after a demonstration atop Mount Rushmore — but the United States quietly dropped the case in federal court in Sioux Falls.

Others who signed the agreement were Clyde Bellecourt, Carter Camp, and Pedro Bissonnette.

Frizzell, speaking for the U.S., said that he thought the agreement was "a fair one for both sides." "I don't think anyone came away from this confrontation with any victories, and I don't think that's important." He said that there were 77 warrants outstanding.



Frizzell had impressed many of the Oglalas with his forthright candor. He did not hesitate to say what he would do or would not do. Newsmen, however, were not so happy. On a number of occasions he had denied knowledge of arrests of people trying to slip into the village — later over 200 arrests were found out — and simply told newsmen who confronted him with misinformation: "It just goes to show I didn't know what I was talking about."

"I think we've all learned from what's happened here," Frizzell said after the agreement was signed. "We've learned that all of us have failed to live up to some of our past commitments. I would hope that this agreement would memorialize the fact that those commitments are going to be met, that we're going to try and do a better job within the government to ensure the rights of Indians so there will be no more blood spilled."



High Tragedy & Grotesque Comedy.....

(This commentary is by Vine Deloria, Jr., of the Standing Rock Lakota, chairman of the Institute for Development of Indian Law, and a former director of the National Congress of American Indians. He is the author of *Custer Died for Your Sins* and *We Talk, You Listen*. His commentary was originally published in the *Los Angeles Times*.)

The Wounded Knee Affair has had aspects of high tragedy and grotesque comedy — with the mouse roaring at the United States from behind the Buckskin Curtain.

The specter of the original Wounded Knee Massacre of 350 Sioux Indians by U.S. soldiers has hovered over the proceedings of the past month, filling the air with a terrible dread.

Perhaps the only relief has been the bizarre parade of characters: Ralph Abernathy, the National Council of Churches, Angela Davis, and assorted hippies and well-wishers who have made a valiant effort to turn the confrontation into the last rock festival and clan gathering of the New Left.

Though Wounded Knee has been torture for American Indians, more is involved for us than guerrilla tactics with elaborate theatrics. Our lives, culture, and identity have been twisted and shaped by this event in a manner and to an extent that white Americans will never understand.

We have been haunted by visions of justice and hampered by thoughts of conserving the little we have left of our land, dignity, and goodwill. A glance behind the headlines to experience what we have been through will indicate that — if white America is aroused by the crazy insurrection in South Dakota — we have been nearly destroyed emotionally by the incident.

One of the major issues involved has been tribal government. Traditional leaders have opposed the system of tribal government imposed by the [U.S.] government on reservations — a half-hearted effort of the New Deal era to correct the wrongs inflicted upon the Indian tribes during the drive to destroy tribal cultures in the 1880s, '90s, and first decade of this century.

Our tribal governments have all the self-governing powers of student government in a large high school. Everything they do is subject to the approval of the Washington, D.C., bureaucracy — thousands of miles from the problem.



Vine Deloria Jr.

Still, those governments were our only means of achieving some measure of control over our lives. Many Indians supported the tribal government, feeling that the most important factor in Indian affairs was the preservation of some form of self-government.

Other Indians, equally sincere, say that Richard Wilson, current tribal chairman of the Oglala Sioux in the Wounded Knee area, has a private army with which he harasses his political opponents, that he publicly challenged members of the American Indian Movement to come to his reservation, and that once federal marshals leave, this goon squad, as it is called by people living on the reservation, will promptly beat down any political opposition with every means available.

Intertwined with the struggle over tribal government has been the insistence of respected elders of the tribe that the United States live up to its treaty commitments.

That issue — for the Sioux — centers on the famous Red Cloud Treaty of 1868 which was signed at Fort Laramie at the conclusion of the war for control of the Bozeman Trail. The treaty was amended in 1876 following Custer's defeat, and in the amended treaty, the United States made extravagant promises — education, right of self-government, a comfortable house for every Indian who took an allotment, and a grant to every Indian achieving his or her majority to start a household.

Federal courts have done a veritable St. Vitus dance to keep from enforcing the provisions of this treaty. One court even concluded that the United States, having had the power to steal the land, was not required to abide by the terms of the treaty. Another decided that the United States was not simply a trustee for the Sioux, it was the trustee for everyone, so it was proper for the United States to take our lands and give them to the other wars under its keeping — the white cattlemen and farmers who now occupy our lands.

How do we believe in the system any longer? Would it not be better to take up arms and end the farce, finding in death the dignity we are denied in life?

We look back at other recent events — at the Indian capture of Alcatraz and at the late night talk shows, featuring Jane Fonda, telling America about Indians.

We begin to emerge as modern people, but the press embraces Chief Red Fox. As we work harder to tell our story to America, Dick Cavett tells the nation that he knows all about the Sioux. At every step we have been blocked by America's stereotype of what it wants Indians to be.

Most American Indians are peaceful, law-abiding people who suffer in silence rather than cause a disturbance. But what does this nation want us to do?

How does a modern American Indian respond to such a crisis as Wounded Knee? If you don't grab a gun and rush to South Dakota, your liberal friends and militant Indian relatives chastise you for not making the scene of the greatest dramatization of Indian problems ever seen. If you offer your assistance to the forces of law and order, you are refused.

Friendly whites come in the back door, get the ears of those in power and shut you out. You live in trembling rage and burn your emotional batteries down. As you try to explain how complicated things are, a late night talk show provides an hour and a half of misinformation which simplifies things so much that you gag halfway through the show and search for a late movie.

Wounded Knee 1973 shows one thing very clearly: American Indians are prohibited from having a modern identity. We must dress in buckskin when we protest. But then we are told to work through the system and forget the buckskin. The system, public and private, listens only to the men in buckskin because they're real Indians.

Perhaps the only thing we can do is simply express our gratitude to the federal marshals and the FBI men who have had the good sense to withdraw emotionally from this American tragicomedy and refuse to take lives needlessly. They have at least preserved for us a glimmer of a humanity that could be.

Perhaps, another day, their patience and our agony can produce something better.



Bizarre Sights Now Commonplace

(This special report is extracted from a longer one by John Kifner, datelined April 1, from the *New York Times*. We are grateful to him and to his paper for the continuing coverage.)

The occupation and siege of Wounded Knee began its second month today, a remarkable situation settling down to everyday tedium. Sights that once seemed bizarre are now commonplace.

The militants, headed by members of the American Indian Movement and tribal dissidents, still hold the historic hamlet, ringing it with bunkers and slit trenches.

Around them are the Federal positions, which in the last weeks have become more homey and elaborate. Some have campers for sleeping quarters, others have fireplaces or stoves for warmth and to keep coffee simmering.

The marshals have changed their bright blue coveralls to camouflage suits of duck-hunter brown or jungle green. Playboy pinups are taped to the side of an armored personnel carrier that forms the inside wall of one of the Government strong points.

Last week, Richard Wilson, the president of the Oglala Sioux Tribal Council and the focal point of much of the controversy here, set up his own roadblocks outside the Government lines to stop the food and supplies from coming in.

... Government officials, negotiators, and spokesmen have come and gone in rapid succession. ... but the situation has remained stalemated. Although the

topics of negotiations frequently shift, two key issues appear to be the main stumbling blocks.

The major demand of the Wounded Knee insurgents is that Mr. Wilson be removed from office and that the tribal government be changed. The Bureau of Indian Affairs regards this as a threat to its policies of tribal government that began with the Indian Reorganization Act of 1934. Federal officials say they are adamant about maintaining what they describe as the "duly constituted government."

The other stumbling block has been the manner in which the Indians leave Wounded Knee. The militants have repeatedly said that they must leave "with honor and dignity" which in terms of the symbolism that has become so important here, apparently means not turning over their weapons to the Federal authorities. . .

Despite repeated questions, Federal spokesmen say they do not know how much the operation is costing. One government source, however, said the figure of \$65,000 a day had been used in meetings.

Wounded Knee itself has been sealed off to newsmen since last March 26 under Mr. Wilson's orders. Mr. Frizzell [an assistant attorney general for the U.S.] said that the restrictions on the press had, from the government's point of view, had "a positive effect" on the situation.

In the first days of the seizure, hundreds of newsmen raced about here, fighting for the pay phone in the parking lot of the Bureau of Indian Affairs Building, or the one in the Crazy Horse cafe, the town's only eatery, sneaking up creekbeds and arroyos past the government roadblocks or jamming into Federal briefings. Lear jets swooped in and out of the tiny airstrip carrying television film.

Now only a handful of reporters is left, making the 27-mile drive each night to a bowling alley in Rushville, Nebraska, that has the nearest restaurant, and where white patrons eye them darkly and make loud remarks about "the national press."

Besides the BIA building and the Crazy Horse Cafe, Pine Ridge consists of a motley collection of shacks and houses of varying degrees of decrepitude that sprawl outward from the crossroads. There is one street of nearly identical, substantial-looking white frame houses provided by the government and occupied mainly by the reservation's well-to-do people who hold higher Government jobs.

The only thing there is plenty of is churches and missions, although the Jesuits at the Red Cloud Catholic Mission are upset because their bingo nights have been cancelled because of the confrontation.

... The sandbagged emplacements atop the Bureau of Indian Affairs building, whose height has served as an unofficial gauge of Government tensions, have been taken down.

But, underneath the quieting surface, there are still tension and passions. In Gordon, Nebraska, just south of the reservation, the white ranchers — some of whom have lost cattle to the Wounded Knee occupiers — bitterly speak of the situation over drinks at the country club, and meetings have been held to organize an armed group to oppose "lawlessness."



Until Hell Freezeth Over



—United Press International

The American Answer to Wounded Knee: A U.S. Marshal in a bunker watches an APC pass by.

April 6, 1973

The ink on the new "treaty" signed at Wounded Knee was scarcely dry before it was being disputed.

"The Federal Government has duped the press and the world again," Russell Means told newsmen as he arrived at Dulles International Airport near Washington in the company of spiritual leader Leonard Crow Dog and Tom Bad Cob.



Meetings with White House officials scheduled for 9 a.m. tomorrow, Saturday April 7, had been postponed for 24 hours. They had been scheduled to meet with Leonard Garment, the minority affairs advisor for John Ehrlichman, who then was U.S. President Nixon's advisor on domestic matters — and who was called upon to resign because of his implications with the Watergate Scandal.

A spokesman of the National Center for Dispute Settlements said the postponement was to work out the details of the disarmament procedures. Garment, apparently, was saying he would not negotiate while the Oglalas remained armed, and the delegation to Washington said they had been instructed to withhold instructions to disarm until the negotiations began with sincerity.

Kent Frizzell, the assistant U.S. attorney general who had negotiated the settlement which had set up the White House talks, also was expressing concern. He said that his intelligence reports from within Wounded Knee indicated that some of the occupation force might not consent to peacefully laying down their arms.

Federal officials surrounding the village were uneasy — they did not know what to expect as they moved into the hamlet after the Indian armaments were withdrawn.

Stanley Lyman, Pine Ridge agency superintendent, says he will send an inventory team into the village after the disarmament to list damage. For instance, there is the Church of God, about 300 yards from the trading post, which was riddled by U.S. bullets during the two days prior to the ceasefire.

Some damage was also caused by the occupation group, particularly at the trading post, long a source of resentment and a target of hostility.

Means said the damage would have been less extensive had AIM forces known well in advance they were going to enter the village. "We didn't know until an hour before that we were actually going in," he said, "and we had trouble controlling some of our people."



With Means in Washington, the negotiations at Wounded Knee were set up once more, this time to hammer out details of another disarmament agreement more precise than the six-point pact signed earlier.

And although Dick Wilson, tribal council chairman, had said that he would abide by the agreement, Lloyd Eaglebull, secretary of the tribal council said he didn't like it at all.

"Whatever the agreement is, we are not bound by it," he said. "These people are invaders and we want them out. When they come out they should be in handcuffs. We want to prosecute them and not let them off scott free like the Justice Department will do."

The refugees from Wounded Knee — the residents whom U.S. officials would not allow to return to their homes — were hoping that the delays in the settlement would not last long.

"Everyone I've talked to from Wounded Knee plan on returning as soon as the roads are open," Pat Pumpkinseed, one of the residents, said.

Talks are Again Postponed by Washington

The Sunday morning meeting with the Oglalas was again called off by the White House — until the Indians had been disarmed, there would be no talks, officials said. The Oglalas were equally as convinced that until the talks had begun, they would not disarm — after all, it was after Big Foot had been asked to turn in his weapons that the slaughter at Wounded Knee in 1890 had begun.

Back at Pine Ridge, Frizzell said that until Indian leaders have indicated their willingness to abide by terms of the peace pact, there would be no negotiations. Presumably, one of the looked-for indications of willingness was the turning in of weapons.

"After disarmament, we stand ready within 24 hours to arrange for Mr. Means to meet with White House officials," Frizzell said.

Frizzell's Washington counterpart, Richard R. Hellstern, discussed the matter with Means, and, "promised to revert to the spirit of the agreement," Means said.

"The Justice Department feels they have won, and because I'm no longer in Wounded Knee, they think they can get tough with the people and dictate terms to them," Means said. He added that talks might be called off altogether "if the Justice Department continues to run amok at Wounded Knee."

Means said that since the agreement was signed, the perimeter around the village had closed in so much that marshals were in shouting distance of one another across the perimeter. That action was not only jeopardizing negotiations, Means said, "it is jeopardizing Indian lives."

Frizzell (who Means described as "a man gone mad with power") said the agreement was clear to the Indians, to the public, and to the government, and that he would stand by the agreement "until Hell freezes over."

He said it was AIM who was welching on the agreement, and that for two days now the leaders had refused to lay down their arms.

With the temperatures in Hell dropping, it seemed that it was another case of the U.S. demanding that Indians keep their part of a treaty while fudging on its own contract.

April 7 & 8, 1973: A Spring Weekend

As Monday rolled around, there had been no meetings and the occupation at Wounded Knee continued. In Wounded Knee itself, the occupation group considered the White House refusal to meet on Saturday and Sunday as an insult, and they too drew a harder line.

While Indian negotiators led by Carter Camp had reached a new understanding with the U.S., that plan was rejected by the Oglalas occupying the village, who were encouraged by AIM advisor Dennis Banks to keep their weapons until there was satisfactory progress in the Washington negotiations.

"Our reaction in the camp is that we totally reject the agreement signed now because the government has violated every paragraph of the agreement," Banks said. He made his remarks in a taped interview with CBS newsmen Jeff Williams.

Particularly in dispute was a government amendment to the tentative agreement for simultaneous laying down of arms by both sides — a detailed mutual disarmament program. Like the government officials who refuse to negotiate while guns are pointed at them, the Oglalas say they won't lay down arms while guns are pointed at them.

Information provided by the news crew sharply conflicted with that provided by the U.S. spokesmen. The newsmen said there were at least 150 persons occupying the village plus the usual residents, while government officials had estimated less than half that number remained.

Newsmen said food supplies are running low, and the two-meal-a-day diet consists mainly of beans, macaroni and rice. Nine cows are still alive, but probably won't be killed because they are ready to calve.

An ambulance was sent to the village by government officials Saturday night to bring out Mrs. Ron Petite, who was in labor. She had wanted her child to be the first born in the Independent Oglala Sioux Nation, but after 40 hours of labor, her attendants decided she should be taken out to a hospital. She delivered a boy the morning of April 8 in the Pine Ridge Hospital.

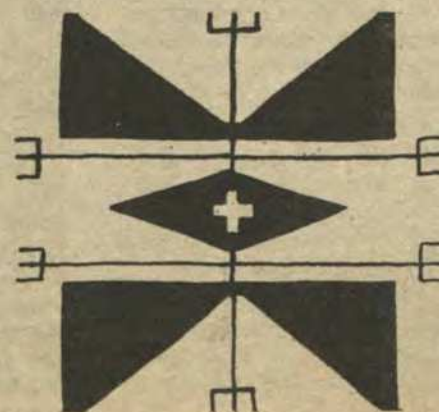


—Associated Press

Russell Means at Dulles Airport near D.C.

As the weekend faded away, it appeared that the negotiations would never be held with the White House. "Mr. Means has not been a bit cooperative," Horace Webb, Justice Department spokesman said.

And for his part, Russell Means said the U.S. "had made a farce out of the agreement — they never had any intentions of discussing the treaty rights of our people."



Oglalas Meet With U.S. Congressmen



Russell Means, Chief Tom Bad Cob, Ramon Roubideaux . . . "goons and gutter rats," Mr. Haley says — photo by Ted Hetzel

April 9, 1973

Since there was no one at the White House willing to talk with the Oglala delegation from Wounded Knee after a weekend of accusations tossed back and forth by both sides, the Oglalas went over to Capitol Hill where the House of Representatives Indian Affairs subcommittee was holding three days of hearings on Wounded Knee and the Trail of Broken Treaties last November.

The first witness at the hearing was Toby Eagle Bull, a longtime Oglala tribal council officer and currently the secretary.

"Our reservation has been invaded by outsiders," Eagle Bull said. "Some of them are Indians and some aren't. Some of our young people have been taken in, too. They have nothing better to do. But this is the heart of the matter. What we need on our reservation is jobs. The issue at Wounded Knee," Eagle Bull claimed, "is jobs. Give us jobs, and you won't have any Indian problem." He said that about 60% of the labor force is unemployed.

The tribal council secretary said that the takeover of Wounded Knee was causing hardship: children are forced to stay away from schools, businesses are inoperative, and "we face financial disaster."

Before Russell Means appeared at the hearing, he held a news conference, at which he revealed a vision of Crow Dog's — and a plan for disarmament.

He said that the weapons would be stacked in a tipi at the site, and that the tipi would be blocked off with a sacred pipe — no Oglala would dare to enter after a pledge had been made in this way. He said this would be done if the White House would agree to meet with the Oglala delegation.

Government officials indicated the proposal was unacceptable, however. They said that "stacking weapons" was not "dispossession" and that the original plan, which the Oglalas had signed, called for just that.

When he was testifying at the hearing, Means was verbally attacked by Rep. James Haley, a Florida Democrat and chairman of the committee. "How do you figure you have a perfect right . . . to go out and break the law?" Haley shouted. "If you and your bunch of hoodlums go out and destroy property, how are you going to reimburse those people for it?" Haley went on to describe the AIM leaders as "hoodlums, goons, and gutter rats." He said that the takeover would have been over in 24 hours if the White House and the Justice Department "had kept their big fat noses out of this."

Means remained placid during the abuse, virtually ignoring the remarks.

Although Haley may be correct that there are goons and hoodlums at Pine Ridge, it is not quite so clear whose side they are on. Just a few days ago, it was revealed that Eugene Whitehawk, a medicine man in his 70s who went to New York recently to speak on behalf of the Independent Oglala Nation at the United Nations, was beaten up so badly he couldn't talk. His wife had been threatened by tribal council vigilantes the day before.

With a 60% unemployment rate, and 95% of the jobs under control of the tribal council, many people who are vocal against the current tribal council chairman do so at the risk of losing any means of livelihood. One woman who was active in the Civil Rights Organization was fired from her job as head of the community health program, and six people in her office were fired as well.

Already there have been over 300 arrests concerning Wounded Knee, and there are 78 other secret indictments pending. But the subcommittee was interested in other matters, and any possible threats to civil liberties in America were left for some other committee to discuss.

Rep. Sam Jones, an Oklahoma Democrat, asked Means what going back to the 1868 Treaty would do to alleviate poverty on the reservation. "It would probably make the Oglalas the richest tribe in America," Means replied. The treaty substantiates claims to land from the Missouri River to the Black Hills of South Dakota.

And then there was the query from Rep. Sam Steiger, an Arizona Republican who has been an outspoken critic of Wounded Knee. He read a portion of the treaty in which the Oglalas agreed to give up any wrongdoer who violated the peace with the United States. Citing indictments against Means, Steiger asked if the Oglalas shouldn't deliver Means over to the U.S.

Means said indeed he should be delivered up "if it could be shown we violated a law of anybody we were at peace with."

The hearing was told by Justice Department officials that they had tape recordings of Means promising to turn in weapons at Wounded Knee, and said he had broken his promise. However, Means pointed to the words of the agreement, which specified that *illegal* weapons would be given up, and that most of the hunting rifles and .22s used at Wounded Knee were perfectly legal.

In the Senate, Abe Ribicoff of Connecticut reported a resolution adopted by the general assembly of the State of Connecticut. The resolution said that the people of the state were increasingly disturbed by the worsening situation at Wounded Knee, and urged the U.S. Congress to take prompt action to restore peace and to investigate the claims of the American Indian Movement to determine their validity "and the necessary federal response to these claims."

Means told reporters that he would soon be forced to return to South Dakota if he could not meet with the White House, and that the security force in Wounded Knee would have to secure its perimeter and drive back the armored personnel carriers.

At Wounded Knee, the armed confrontation continued. It seemed as though the opposing sides were no closer to resolving the conflict than the day the village was seized.

By late evening, the government negotiators had reversed themselves and did go to Wounded Knee to meet with the leadership there. However, there was no comment about the content of the meeting.

The stream of people in and out of the village — often by creeping on their stomachs and dodging dog patrols and high intensity spotlights — continued. Three California residents didn't make it during the nightly run, however, and Tyrone Simmons of Toyon, John Megia of Santa Rosa, and Arthur Montoya of Redding were charged with obstructing federal officers.



The military solution to Wounded Knee had already cost the U.S. Government over \$2 million. And if no one had any ideas about what to do with the Oglalas, John C. Whitaker, the White House's man acting as secretary of the Interior, said a bill was being prepared by the Nixon Administration to increase the size of the Bureau of Indian Affairs police force from 176 to 235, and "in certain locations" to organize ten-member strike forces to deal with any similar future occurrences."

It appeared that native people might get Law and Order before they get Justice.

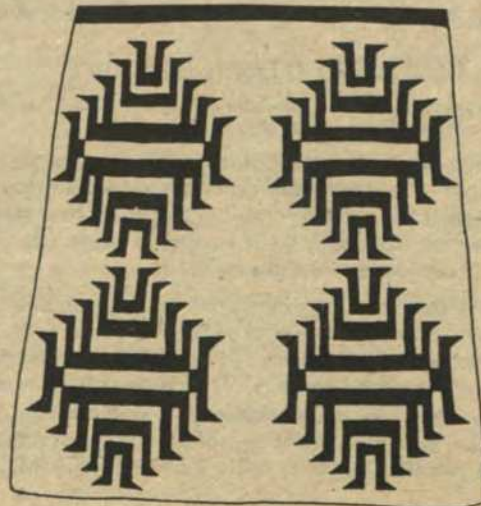
WAR

war
when will it ever
stop

what else would
you call it :
assimilation
acculturation
relocation
education . . .
as long as we
have known
the whiteman
we have never known
peace

only in the Longhouse
the Kiva
only in the lodges
when the sacred smoke
is carried by the wind
for all the Creation to see
only then
are we at peace
the people
are cold
poor?
not so poor as
without the dance,
the chants,
the thanksgivings
the children, the
laughter, the burning
desire of freedom

you do not wage war
on a poor people, whiteman
we have power
we have strength
we have the will to live
we have the will to die
since we have known
the whiteman
only this have we learned:
death needless & lingering
 drunk & far from home
now
death honorable
 as a warrior
— Karoniaktatie



New Proposals To End Occupation



Tuesday, April 10, 1973

Crow Dog's vision of weapons stacked in a tipi was being seriously pushed by the Oglalas and new negotiations were underway. The medicine man had phoned Wounded Knee from Washington to tell of his vision of the tipi, with a sacred pipe guarding the entrance.

Wednesday, April 11, 1973

Although no formal talks were held today at Wounded Knee, U.S. officials said further negotiations could take place anytime and expressed hopes that the discussion would be kept alive. A "discussion paper" had been prepared by the U.S. and was sent to the village to clarify the proposed disarmament plan offered two days previously — featuring the stacked weapons in the tipi, guarded by the sacred pipe.

Most of the "Indian news" came from other sources. The South Dakota American Civil Liberties Union (ACLU) expressed concern about apparent violations of the rights of Indian people in and around Wounded Knee.

Rev. Timothy Willert of Vermillion, South Dakota, chairperson of the group, said that ACLU attorneys have been investigating "spurious arrests of Indian people not only at Wounded Knee, but at other points throughout the U.S." Willert said that "violence, or even the threat of criminal activity, is no cause for the curtailment of basic civil rights."

The Indian Affairs House subcommittee in Washington heard Frank Carlucci, under secretary of health, education and welfare urge passage of "the President's proposals for Indian self-determination, economic develop-

ment, and improved representation with the Federal Government" that floundered after being mentioned in the July, 1970, message to Congress.

Carlucci said that this would minimize the possibility of future confrontations such as Wounded Knee.

Another witness, Mrs. LaDonna Harris, speaking for Americans for Indian Opportunity (a non-profit group that tries to find financial resources for Indian self-improvement) said that official distinctions the government was making between urban and reservation Indians and between members and non-members, was "an attempt to pit Indians against each other."

Ms. Harris told the panel that the Government was mistaken when it dismissed militant groups like the American Indian Movement as "unrepresentative" of Indian thinking. Indian communities are increasingly willing to call on such organizations for help when they are frustrated trying to solve their own problems, she said.

Old prejudices, insensitivity, and injustices no longer would be tolerated by Indians, and confrontations such as Wounded Knee occur when neither the government nor general public accepts the "new Indian," Ms. Harris asserted.

There were other parts to the proposal being put forth by the Oglalas to end the occupation.

— traditional Oglala chiefs and headmen should be allowed immediate access to and from Wounded Knee.

— two 1½-ton trucks loaded with food should be allowed into the village immediately, with necessary medical supplies, and fuel, and telephone communications shall not be interrupted.

— armored personnel carriers, bunkers, and federal personnel surrounding the village should be moved back to their original perimeters.

— all weapons, ammunition, and explosives inside the village would be placed in the tipi.

— Community Relations Service personnel of the Department of Justice and AIM representatives would monitor the completion of the above points.

— treaty talks should begin immediately in Washington and the Oglala delegates to those meetings should be allowed to return to Wounded Knee immediately after the meetings.

— seventy-two hours from the time the first five points are implemented, all the terms of the April 5 agreement should be promptly honored.

The negotiation session was held in a school bus parked near Wounded Knee. 25 Oglalas and AIM advisors

attended. Pottinger noted that Dennis Banks, an AIM advisor who has taken a hard line with the government, was not at the meeting.

The Oglala delegation had left Washington, and headed for New York City, where legal problems were discussed with attorney William Kunstler, and plans were made for fund raising to cover legal expenses.

And Kent Frizzell, the assistant attorney general who had been the U.S. negotiator for the much-disputed April 5 agreement, was also travelling. He was headed for Washington, where he is under consideration for an appointment as solicitor for the Department of the Interior. He said he thought he wouldn't be of any further use at Wounded Knee.

"For many weeks I have been hearing about a Trail of Broken Treaties," Frizzell complained. "Now I have a better understanding of that phrase because it has happened to me."



In seeking self-determination and self-improvement while retaining an Indian culture, Ms. Harris said the Indians are rebuffed by the government, which terminates them from federal services once they leave the reservation, and by the public, which stereotypes them as "noble savages" or "drunken Indians." "And we lash out at this in confrontations at Alcatraz, ceremonies at Flagstaff and Gallup, fishing rights in Washington State, disorders in North Carolina, long hair in public schools in Oklahoma, the occupation of the BIA, or Wounded Knee."

For a time, Ms. Harris continued, the Indians were hurt by being expected to join the melting pot and to shed their language, customs, and culture. That caused low self-esteem, self-hate, high alcoholism, suicides.

"But we have changed," she said. "And it's time for the government and the public to fall into step."

In Sioux Falls, South Dakota, a federal grand jury ground out its third round of indictments, adding 25 more to the previous number for a grand total of 79. The indictments are sealed, and will be used for warrants to arrest those accused at the discretion of law enforcement officials.

EDITORIALS

THE OTHER P.O.W.s

(This comment appeared in The Strawberry Almanac, a publication of the Hillsborough Community College, Florida.)

We watch and read of the returning POW's and shed a tear at the family reunions. We are proud of these Americans who suffered for their belief in an ideology.

But there are other Americans for whom we shed no tears. The American Indians are our Prisoners of Life. There are no proud speeches, no cheering crowds and no brass bands for the men at Wounded Knee. Should these POL's be less praised for their beliefs?

The returning POW's performed salaried jobs — POL's are neither praised nor paid to face the overwhelming odds of being Indians in today's America.

Let us pause in our cheers for the Prisoners of War... the battle of the Indian is not fought on foreign shores but instead in America in the halls of Washington and there the brass bands never resound for the Redman.

CONSULT "OTHER INDIANS"

(This editorial appeared in the April 8 edition of the Chicago Tribune, reprinted here in part.)

The armed occupation of Wounded Knee has produced a minimum of mayhem and no fatalities, and to this extent, we may be grateful to all the actors on that stage. If any faction had wanted the violence to turn deadly, it would have done so before now.

But in the forthcoming discussion, the government should not dignify Mr. Means or the American Indian Movement by treating them as responsible representatives of all American Indians. That Indians have grave problems and substantial grievances is well known. Productive coping with those problems and grievances requires consultation with Indians other than AIM...

WILL CANADA LEARN FROM OGLALAS?

(This editorial appeared in the April, 1973, issue of The New Breed, published by the Metis Society of Saskatchewan, 200-1935 Scarth St., Regina, Saskatchewan.)

... The Oglala Sioux and their supporters of every nation of Native Americans, are trying to show the [U.S.] government and the world that if something is not done, they would rather die than live in these conditions. What is their answer? Military equipment used to the massacre of thousands of Vietnamese overseas in a war that was none of their business in the first place.

What type of insensitive idiots are holding the positions of leadership in our countries, when people who have tried every method and means of regaining their rights, are forced to utilize violence as a way to get the attention of the government — but that government is so afraid of losing "face" it won't lower itself to deal with a bunch of militants (as Natives who stand up for their rights are known.)

The Metis Society of Saskatchewan supports Wounded Knee one hundred percent. Our hope is that our Canadian Government will learn from the ordeal in the states, that we will not have to go through a Canadian Wounded Knee in order to have our rights upheld.

VOLUNTEERS FOR THE CAVALRY.

(This opinion is from the Emmett Express, published weekly at Capac, Michigan, and is written by columnist Bob Brace Beemer.)

I felt more than one cringe of conscience as I read *Bury My Heart at Wounded Knee*. I thought of all the inequities the "white man" has heaped upon the heads of our red brethren. I even felt a sort of responsibility for these things. Then I got my mental feet back under myself and thought it through.

There is no rhyme or reason today for us to feel any guilt at all for what our ancestors did and it's time to stop flagellating ourselves about it. What we can feel is a responsibility for what is happening today in 1973...

It's about time the white man staged an uprising or two. How long are we all going to stand for violence and law-breaking on the part of dissidents in this country every time somebody wants to stage a protest?

... Couple of people I know were unaware that the U.S. 7th Cavalry mentioned as the original perpetrators of the incident at Wounded Knee was the Michigan 7th Cavalry. Well, it was. I'm thinking of reforming the regiment and I'm looking for volunteers. The signup sheet is in my office.

Look out, Wounded Knee. Here comes the cavalry again.



U.S. Forces Unhappy With Oglalas

Thursday, April 12, 1973

The Oglalas today sent back the U.S. "discussion paper" and the situation at Wounded Knee reached a new impasse with no solution in sight. The occupation is now in its 44th day.

The U.S. forces were unhappy with the continued strength of the Oglalas. "If there is such a thing as an impasse on an impasse, then that's what we have," said assistant attorney general Stanley Pottinger, the chief U.S. negotiator at Pine Ridge.

Pottinger said Pedro Bissonnette, vice-president of the Oglala Civil Rights Organization which had invited AIM to Pine Ridge last February, that all further U.S. proposals would be turned down until Russell Means, Leonard Crow Dog and Tom Bad Cob returned to Wounded Knee.

Means himself said that he would be travelling from Washington to Onondaga, capitol of the League of the People of the Longhouse (Iroquois Confederacy), and then he would go to Pierre, South Dakota, for arraignment on criminal charges lodged against him. He said that terms of his \$25,000 bond prohibited him from returning to Wounded Knee since one of the conditions was that he must not associate with people bearing arms.

The "discussion paper" which the Oglalas had rejected had accepted the basic proposal of stacking weapons in a tipi, the delivery of food, and the drawing back of the military U.S. perimeter around Wounded Knee.



However, the Government refused to go along with the preliminary treaty talks in Washington with White House officials, and suggested that the Oglalas in Wounded Knee would draw up an agenda for the full-scale conference which the U.S. said would occur in May. Also, the weapons put into the tipi would have to be identified and tagged by the Justice Department. Wounded Knee personnel facing federal arrest would be taken into custody, and the others would be identified, questioned, and let go.

Somehow, the same power of the 1868 treaty which the U.S. seemed to fear was the same power which was giving the Oglalas strength to hang on.

Clyde Bellecourt, an AIM advisor from Minneapolis, surrendered to arrest today, stating that he believed he could be more useful to the occupation on the outside than kept out of communication inside the U.S. blockade. He was released on \$25,000 bond and under third party custody to a national religious leader. The nine charges against him were the same as against Russell Means. And the conditions of the bond were the same as for Means, with the additional requirement that he stay away from a five-mile radius of Wounded Knee.

Bellecourt was also served with a copy of a complaint by William B. Quigley, of Valentine, Nebraska, in which Bellecourt, other AIM leaders, and the National Council of Churches is being sued for \$3.2 million for damages to the BIA headquarters last November. Quigley said he was suing on behalf of American taxpayers. Quigley said he had named the NCC because it had aided the native peoples.

A new roadblock was set up today, consisting of tribal council people who were residents of Wounded Knee before it became occupied.

In Lincoln, Nebraska, the state's Supreme Court was asked today to overturn the conviction of another of the men who beat Raymond Yellow Thunder, causing his death last March. The Yellow Thunder tragedy was the incident which first had brought AIM into Pine Ridge. Attorneys for the convicted man said that the state had failed to prove a connection between the beating and the death of the Oglala man.

Grievances That Must Be Dealt With

Forces were beginning to move outside Wounded Knee to change the situation on the reservation, and Louis Bad Wound announced the formation of a Coalition for Better Government on the Pine Ridge Reservation April 12.

Other members of the coalition are Vern Long, president of the Oglala Sioux Civil Rights Organization; Hildegard Catches, secretary of the Inter-District Council; Francis He Crow, vice-president of the Landowners Association, and Richard Little, one of the tribal council members who had tried to impeach chairman Richard Wilson.

The coalition said it had "come into existence as a result of Wounded Knee, which," it said, "resulted partly because the BIA and the tribal council have continuously failed to meet the needs of the grassroots Oglalas."

The extent and scope of grievances which led up to Wounded Knee can be seen from an examination of the coalition's demands.

—tribal jurisdiction over Bennett County over all persons (Indian and non-Indian) be recognized by both federal and state government. Bennett County is a corner of the reservation which fell into white hands shortly after the turn of the century.

—all reservation policemen are to be transferred immediately, and outside officers be temporarily stationed in the area to insure better law and order.

—immediate implementation of the petition recently filed with the BIA superintendent calling for suspension of the constitution and bylaws of the tribe. (A petition bearing names of half of the reservation's electors was submitted to the BIA with this demand under provisions of the tribal constitution, but the U.S. has failed to act.)

—immediate investigation of all tribal programs and projects, the Public Health Service hospital, Housing and Urban Development, the BIA including the "dealings of Tom Conroy Sr. and the Realty Office."

—investigation of the religious activities of the various churches on the reservation. It asked an accounting of all monies and other property solicited by such churches for benefits of the Oglalas and that lands owned by the churches not being used for religious purposes be returned to tribal ownership. (One mission alone is reported to own over 18 square miles of tribal land.)

—respect for the "sovereignty and treaty rights of the Oglala Sioux" by the executive, legislative, and judicial branches of federal and state governments.

—federal appropriations to bring the tribe's enrollment up to date, with all Indians who have relinquished their rights to "be immediately stricken from tribal rolls"

—immediate compensation for the tribe's water rights in the Missouri River Basin, including royalties for generation of electricity.

—reimbursement of the tribe for all rights of way across the reservation, including electrical lines, telephone lines, and roads.

—an accounting of all animals under jurisdiction of the Oglala Sioux Tribal Rangers.

—transfer of BIA Agency Superintendent and area director Wyman Babby who "have been unable to address themselves to problems that exist on the reservation because they are part of the problem."

—removal of U.S. Attorney William Clayton, who, they charged, is partly responsible for the Wounded Knee crisis and general unrest on the reservation. Clayton, they said, refused to prosecute many cases brought to him by Indians, and the result has been a breakdown of law and order on the reservation.

—conveyance in trust of all submarginal lands on the reservation to the Oglala Sioux Tribe; putting of all gunnery range lands (including mineral rights) in trust in the name of the tribe, and return to tribal ownership of all Indian lands taken on the reservation by "forced patent."

—a full-time nurse for Mrs. Jessie Sword as last survivor of the 1890 Wounded Knee Massacre, and compensation to others for loss of parents and relatives.

—return of Ft. Robinson, Ft. Laramie, and other forests within Oglala territory to tribal ownership.

—hearings by the Federal Trade Commission on trader practices and abuses, and licensing by the U. S. of all traders on the reservation.

—investigation of all federal soil conservation offices serving the reservation. (Only white leaseholders seem to be able to draw soil bank payments.)

—investigation of all lending institutions serving the reservation for discrimination against Indians, especially the FHA offices and banks.



"A SWAT AT OUR AMERICAN WAY OF LIFE"



(These are extracts from an open letter circulated on the Pine Ridge Reservation by Dick Wilson, tribal chairman. The letter is dated March 26, 1973.)

Fellow Oglalas and Fellow Patriots:

The time has come for all good citizens of the Pine Ridge Reservation to lay aside their petty differences and squabbles and unite. Unite against the American Indian Movement and their planned takeover of our reservation.

What has happened at Wounded Knee is all part of a long-range plan of the Communist Party. First they divide the people... disrupt the normal function of society. Demand the removal of key officials. Demand the resignation of heads of state,

and so you see the jigsaw puzzle begins to fall into place.

To combat this unpleasant nuisance, we are confronted with, we are organizing an all-out volunteer Army of Oglalas Sioux Patriots. We need all able bodied men over the age of 18 years. . . We are requesting Gen. Chester Fuller, United States Marine Corps (Ret.) to take command.

Fellow patriots, the Oglala Sioux needs you. Come in and sign up. There is no doubt that Wounded Knee is a major communist thrust. They have established a beach head. . . When the Fed. Gov. has yielded, conceded, appeased and just short of surrender, we will march into Wounded Knee and kill Tokas, Wasicus, hasapas, and spiolas. . .

The supporters of AIM come in all shades and the National Council of Churches are very vocal because the Liberal Press and the TV news media is right at their elbow. No news reporter or TV cameraman has ever won a war, but they can destroy a Nation by the propaganda of lies and hate they broadcast for every crackpot, screwball, and communist-front organization who wants to take a swat at our American way of life. . .

Since AIM is supported by non-Indians, we are enlisting the help of all non-Indian residents of the Pine Ridge Reservation. So come on in and sign up, so we can get this show on the road. . .

NEW Roadblocks At Wounded Knee Today



Friday, April 13, 1973

Two tribal council employees who were residents of Wounded Knee before the occupation announced today that they were setting up roadblocks of their own and said they would stage raids on the village if the U.S. didn't act soon to end the occupation.

They were joined by other residents in their demand that the federal government relax roadblocks so that they could return to their homes. Some had left because they were hostile to AIM and the occupation, but more were simply kept out by federal forces.

The pair, 27-year-old John Hussman, director of the Oglala Sioux Tribal Alcoholism Program, and Woody Richards, an employee of the program told assistant U.S. attorney general Stanley Pottinger that they would take "affirmative action" and that they would infiltrate the federal perimeter and start "harassing" the Oglala occupation force. Although others who have

attempted to infiltrate Wounded Knee in support of the occupation have been arrested, no arrests were made of Hussman and Richards for any conspiracy to violate federal law.

"I worked to get what I had down there in Wounded Knee and I want it back," Hussman said, a hunting rifle crooked in his arm. "The last I heard, they were using my furniture for firewood."

He asked that the U.S. pay each of the permanent residents of Wounded Knee \$100 a day for their losses, retroactive to February 27, the day the occupation began. Pottinger said he would "transmit" that request. The residents said the money was needed to bear the double cost of living outside the village while bearing mortgage payments for their homes inside.

(Several days later, Ramon Roubideaux showed reporters a petition signed by 35 resident families at Wounded Knee, saying that Hussman and Richards did not represent them and said that they were not "original inhabitants" of Wounded Knee.)

No talks were held today between the Oglalas and the U.S., and there was no planning being done for future talks. In fact, Pottinger, the chief negotiator, left by plane for Washington late today.

Saturday & Sunday, April 14 & 15, 1973

Richards and Hussman, with other residents of Wounded Knee and some friends, did set up their own roadblock — and the first people they refused to let through were Justice Department employees, officials of the Community Relations Service.

The CRS people have been crucial in the enforcement of a ceasefire for the last 20 days, acting as personal hot-lines to ensure communications breakdowns did not lead to misunderstandings and violence.

The Justice Department did not seem too upset by this show of arms against federal officers, and said only

that it would ferry the CRS team into Wounded Knee by helicopter.

The roadblock of the refugees from the village said that they suspected CRS people were taking food and medicine into the village.



Wounded Knee's "Original Residents" at Roadblock

Food has been an increasingly critical problem, and Mark Lane, attorney for the Oglalas, said that the occupation force was eating one meal a day of rice. He said that attorneys might seek a temporary injunction against the U.S. to force the government to allow more food inside the village.

"It is not the Government's policy to starve them out," Richard Hellstern, the assistant U.S. attorney general now on the scene. "And it is also not the government's policy to let them live normal lives."

By winking its eye at an illegal roadblock armed with rifles and pistols, the U.S. had some extra help in maintaining government policy.

"They Make The Ku Klux Klan Look Like Girl Scouts"

Monday, April 16, 1973

Russell Means and Clyde Bellecourt appeared in U.S. District Court in Pierre, South Dakota, today and pleaded not guilty to charges against them. Saying that the South Dakota mentality toward Indians made the Ku Klux Klan look like Girl Scouts, they also asked for a change of venue so the trial could be held on more neutral territory.



—Associated Press

Clyde Bellecourt, Russell Means . . . and friends

Stiffer conditions of bail were imposed on both men. They were ordered to give the U.S. 48 hours notice if they wanted to leave South Dakota, and were told to stay away from Wounded Knee.

Means said that the restrictions not only violated ordinary rights, but that "if the Federal Government ever hopes to resolve the impasse at Wounded Knee, I will have to return."

Both men are charged specifically with the wounding of Lloyd Grimm, a federal marshal, and the shooting of Curtis Fitzgerald, an FBI agent, as well as nine other counts. No trial date was set. They face a maximum of 85 years imprisonment and \$96,000 fines.

At Wounded Knee, no negotiation sessions were held.

Just before dawn, the home of a rancher just north of Wounded Knee was destroyed by fire. The rancher, George Coates, had reported Saturday night that his home had been shot at — he said he took the attackers to be occupants of Wounded Knee. He said he returned the fire, but apparently no-one was hurt. He added that the raiders had taken some of his cattle. After the incident, he had moved into a trailer near one of the federal roadblocks.

The house of Severt Young Bear, a resident of Porcupine who had assisted the Wounded Knee cause, was fired at tonight, narrowly missing his daughter. He complained to the Justice Department, who sent BIA policemen to investigate, but no action was taken.

Elsewhere in the U.S., a suit was filed in Portland, Oregon, against the FBI by five persons arrested in March while en route to Wounded Knee. The group had been

charged with violating the federal anti-riot act of 1968, but after their truck and its contents were seized, the charges were dropped "in the best interests of justice."

The suit was filed by the American Civil Liberties Union on the grounds that the federal statute is unconstitutional.

In Washington, South Dakota representative James Abdnor was still insisting that AIM was financed by the OEO, citing funds which had gone for the operation of survival schools for Indian students in Milwaukee, St. Paul, and Minnesota who had dropped out of public education.

A similar charge — in reverse — was being made in Michigan by the director of the Michigan Commission on Indian Affairs, George Bennett. He said his information was that members of the Oglala Sioux tribal council faction were being paid \$4.50 an hour with federal funds to man illegal blockades at Wounded Knee.

Bennett said the U.S. was spending the money to "pit Indian against Indian, and to diminish the spirit of Wounded Knee." He said he planned to head a delegation to Pine Ridge to survey the situation, and that he would be reporting back to the Michigan Indian Commission.



MILLIE & KATSI NEVER MADE IT TO WOUNDED KNEE



(This account on the adventures of two members of the AKWESASNE NOTES household is from an alternate Rochester, N.Y., newspaper, The Patriot, dated April 11-24, 1973. It was written by Judy Peer, and we are grateful to her and to her paper for the article.)

Millie and Katsi Cook never made it to Wounded Knee. The two young Mohawk sisters, who with friends were bringing two carloads of food to the Indians occupying the town, found themselves stopped at an FBI roadblock, searched, and arrested for alleged possession of marijuana.

When the "pot" turned out to be Indian tobacco, the group was escorted by police the next day to the Nebraska state line, and ordered to "stay out of South Dakota."

But that wasn't all. As they stopped near the border to repack their cars

which had been left a shambles by the police search, a farewell bullet creased the air nearby. The rifleman was nowhere in sight.

... Most of their own feelings towards the growing Indian movement of which they are a part [are] of pride and confidence. And they reject the interference of church and state in tribal affairs.

... Support of the Longhouse is growing on the reservation, while BIA-approved governments are increasingly ignored. Katsi is a member of the Longhouse; Millie plans to become one.

... As for organized religion, Katsi went to a Catholic boarding school, where the nuns promptly [started calling her by her Christian name, Cheryl.]

Both women are also relearning their

own culture. "We learned the ceremonial dances in 4-H," Millie said. "We even performed them at the World's Fair. But we didn't know what they meant."

"The first time I danced as part of a Longhouse ceremony, instead of entertaining someone, it was a powerful, emotional experience. I felt like coming home."

It is this return to an already existing, rich, textured culture that makes the Indian Movement different from the "Movement" as a whole, say both women.

"Coming home" is the phrase that echoes and re-echoes. And in a sense, both women feel a bit sorry for the young alienated whites who drop out searching for something to drop into.

"It must be terrible," says Millie, "to have nothing to come home to."

FRANK CLEARWATER MORTALLY WOUNDED AS U.S. FORCES FIRE ON OGLALAS GATHERING FOOD



Tuesday, April 17, 1973

It was just a few minutes after sunrise at Wounded Knee and the village was quiet and deserted.

Then three planes came over the horizon, flying at about 500 feet altitude. They slowed down as they neared, then dropped about ten parachutes into the village. 3 or 4 landed in the middle of Wounded Knee compound, and the rest within the perimeter controlled by the Oglalas.

About fifty persons burst out of the buildings at the village to collect the badly-needed food as the planes swept away.

A few minutes later, all hell broke loose. A helicopter flew over, shooting at any moving target. Then there was ground fire from first one, then all federal positions. The Oglala force fired back a few bursts here and there — they have little ammunition and inferior weapons. U.S. guns fired 4,000 rounds, a federal spokesman said later — and the actual number seemed much higher.

The intensive fire lasted about 90 minutes.

Frank Clearwater had just come into Wounded Knee a day or so earlier, hiking in at night over the back trails. He was tired, and was sleeping on a cot in the church when the planes flew over.

Shortly after, he was mortally wounded, as the heavy firing pounded through the church and a bullet smashed into his head.

The gunfire was the first in three weeks on either side. It — and Clearwater's critical wounding — marked a whole new tone to the confrontation at Wounded Knee.

Clearwater was taken from the village under a white flag of truce by car, then rushed by helicopter to a hospital in Pine Ridge, and then by plane to the St. John-McNamara Hospital in Rapid City. There, he underwent neurosurgery, and a hospital spokesman said his condition was "very critical."

Clearwater's wife, Morning Star, said that after she found her husband shot and bleeding at the church, she got a promise of safe conduct so she could accompany him to the hospital. However, she was immediately arrested by the FBI agents and was held in the Pine Ridge jail until the following day. (She was not allowed to see her husband until the following evening.

(Mrs. Clearwater said the conditions in the Pine Ridge jail were very bad. There was no bed and prisoners must sleep on the floor, she said. She was fed a bowl of



Frank Clearwater

mush and a piece of cornbread for breakfast, and two or three spoonfuls of soup and a cracker for supper.)

Dr. Michael Silverstein, a physician who accompanied the gravely-injured man out of Wounded Knee, said that the firing stemmed from a clear case of "unwarranted aggression" by the U.S.

The U.S. countercharged that the firing was initiated by the Oglalas, who, they said, moved out of their bunkers and attacked Government positions manned with armored personnel carriers. Furthermore, Stanley Pottenger, an assistant U.S. attorney general at the scene, said that federal forces would return fire only to protect themselves and would not counterattack. He claimed that 4,000 rounds of ammunition had been fired by the Oglalas and said that some of the fire appeared to come from automatic weapons.

An anonymous telephone caller told the Associated Press in New York that the planes were flown by members of the Wounded Knee Airline. The caller said the delivery was made by antiwar activists who wanted to aid the Indians in the oldest undeclared war still being fought by the U.S. Each parachute had two or three duffel bags of flour, rice, sugar, and medicine, cheese.

Each bag of supplies contained the same message, addressed to the Independent Oglala Sioux Nation: "Your struggle for freedom and justice is our struggle. Our hearts are with you."

The three single-engine Piper Cherokee aircraft arrived

from three different directions. Later it was learned that they had taken off from three different cities, and had coordinated their arrival. A newspaper reporter, Thomas Oliphant of the Boston *Globe*, confirmed that he had accompanied one of the planes, and that he had witnessed the packing of the bags. There were no guns, he said, and not so much as a single round of ammunition.

The airlift was said to have been planned for several weeks by a group of 50 to 100 persons, including Vietnam veterans. The operation was put together in the Midwest.

After the firing, additional U.S. troops were brought in, including at least 25 members of the Border Patrol, normally on duty in the northern states. At least 300 FBI agents and U.S. marshals are already at the scene — some say 500 is a more accurate number.

Stan Holder, AIM security chief and one of the advisors who had been inside Wounded Knee, surrendered himself to federal authorities in Rapid City this morning. Bond was set at \$50,000, but because of the shooting going on in the village, U.S. magistrate James Wilson allowed Holder 48 hours of freedom to help bring a "peaceful end to the shooting." He was returned to Pine Ridge by federal marshals.

VIETNAM COMES HOME

(This editorial is from the Arizona Republic for March 27, published at Phoenix with the motto: "Where the Spirit of the Lord is, There is Liberty" — II Corinthians 3:17.)

... It now develops that among the armament of the insurgents holding the United States Government at bay was at least one submachine gun. Red Chinese, at that.

... If this is so, it tends to further debilitate the American Indian Movement's claim of spontaneity in the Wounded Knee episode. Obtaining a Red Chinese automatic weapon, used extensively against American GIs in Vietnam, obviously required some skulduggery with the overseas or underground contacts. Further, possession of a working automatic weapon is illegal and a federal offense.

As Wounded Knee unfolds in sharper detail, the whole affair is simply too well-organized, too well-financed, too slick to have been the impromptu work of AIM. If and when the federal government gets its courage back, it might look into bigger questions of who really is behind the Wounded Knee incident. . .

THE CAPTURE OF BILL ZIMMERMAN



—Boston Phoenix/Maje Waldo photo
Bill Zimmerman . . . with NOTES

(This account of the "capture" of Bill Zimmerman for his alleged part in the airlift of food to Wounded Knee is by Connie Paige and was part of a longer article in Boston's weekly paper, The Phoenix, at 1108 Boylston St. Boston, Mass. 02215.)

The "capture" of Bill Zimmerman could be material for a third-rate Bogart cum Marx Brothers film flick. The Friday after the airlift, FBI agents came to question him at his home in Cambridge, Mass. He refused to talk without a tape recorder and those terms were unacceptable to the FBI.

As Zimmerman describes his next encounter with them, 3 carloads came again to his house early the next morning. "I was awakened by simultaneous pounding on the rear and front doors," he said. "And I figured that, well, I didn't answer their questions yesterday so they've come today with a warrant."

He and his housemates took their time getting dressed to greet the agents. Zimmerman eventually went to the door and without opening it, asked them to produce their warrant. They didn't have one, but threatened to break down the door anyway. Zimmerman let them in and agreed to go peacefully. Meanwhile, Danny Schechter, newscaster for radio station WBCN and one of Zimmerman's housemates appeared in his pajamas announcing that he was covering the arrest and deman-

ding the agents justify their presence. A short scuffle, recriminations on both sides. Then the FBI insisted on searching the upstairs and Zimmerman's roommates blocked their passage. Finally, Zimmerman left with the feds.

"One just got this feeling from them of functionaries," Zimmerman said later. "They didn't care at all about the content of the arrest, and they were just doing their job like the GIs in Vietnam and the marshals in Wounded Knee. But they also gave the impression of being inept, like there's this mystique the FBI has about being super-sleuths, but they had all this complicated fingerprinting technology and nobody knew how to work it."

Zimmerman, whatever his association with the so-called conspiracy, strongly supports the men who carried out the airlift. He feels first of all that the charges against him and the others are clearly being used as a "political tool of the government" to stifle dissent.

A long-time activist, first in the universities, then in Science for the People, and most recently

in a group called Medical Aid to Indochina, Zimmerman is encouraged to find white middle class sympathizers acting on behalf of the Indians at long last, in spite of repressive government weapons such as the Rap Brown Act. He sees this as a logical extension of the antiwar movement, and draws the analogy between the government's treatment of the Indochinese and its historical persecution of the Native Americans.

"In the 18th and 19th centuries," he said, "crimes were committed against the Indians, not just in fighting wars against them, but in massacring women and children and depriving them of an economic livelihood by forcing them out of the forests onto the plains, then killing the buffalo. Killing the buffalo is very similar to dropping herbicides on Vietnamese rice. And then all the elements which particularly struck me were the similarities of the destruction of the Indian culture and the destruction of Indochinese culture. The introduction of fire-water into Indian culture, and the introduction of heroin into South Vietnam. The rape of

Indian women and the turning of Indochinese women into prostitutes. Prohibiting Indians on their reservations from speaking their native languages, and filling South Vietnam with English-language textbooks. The parallels are clear: the demand that Americans not sit passively by and allow these things to happen, but that they have a human responsibility, a moral responsibility, and a legal one that goes back to Nuremberg."

Zimmerman said that "as long as there are struggles like Wounded Knee going on, there are going to be people who will rise up spontaneously to help them."

"The notion of individual accountability before the bar of international laws lies at the heart of the Nuremberg judgment, and the reluctance of the Germans to resist oppressive acts of state is widely held to have greatly aided the Nazi seizure of power." TELFORD TAYLOR, chief prosecuting attorney at NUREMBERG WAR CRIMES TRIALS

"If We Lose At Wounded Knee. Everybody Loses" — Means

Wednesday, April 18, 1973

Clearly the U.S. was worrying now that the whole situation was getting out of hand. First of all, a man lay dying from a bullet in the head from federal fire. Then most of the AIM leaders were out of the village — Leonard Crow Dog, Russell Means, Clyde Bellecourt, Stan Holder, all had left the village in an attempt to get the whole matter into the courts. Even Dennis Banks, it was rumored, had left, although he had not turned himself in to federal officers as had the others.

While government officials had publicly blamed the AIM leaders for the Wounded Knee occupation, it is believed that privately they knew that the AIM leadership had also acted to keep the whole situation under control, and that AIM's strategy, despite the show of guns, was essentially non-violent. Without them, who would "control" the Oglalas, officials were wondering.

"The question of control is one of the most key questions we face right now," Pottinger told reporters. He had met with Leonard Crow Dog, who is acting as spiritual adviser to the occupation force. Crow Dog said he was going to his home at Rosebud Reservation where he plans to meditate for two days in the hope of having a vision that could lead to a solution.

However, Ramon Roubideau, attorney for the Oglalas at Wounded Knee, said that this was not at all true, and that Crow Dog had been denied permission to return.

Despite the obvious determination of the Oglalas who were remaining strong inside Wounded Knee, Pottinger told the press the U.S. still wasn't taking them at face value.

"As long as Wounded Knee is used as a foil for publicity and for efforts to raise money, we will have difficult among some of (their) leaders to lay down their arms," he said.

Then fourteen Oglala women and children had run through a Government roadblock, refusing to obey orders from marshals and BIA policemen to stop. They were headed for their homes in the Wounded Knee area — they said they lived there, and they simply were returning to their homes.

U.S. officials were furious at their powerlessness in that situation, and arrested about 35 persons who were just standing there watching the event. The arrested legal personnel are members of the National Lawyers Guild. They said they had been prevented from advising the arrested persons of their legal rights, and that they were kicked, shoved, and forcibly searched by the BIA police.

All those arrested were held for over 27 hours before arraignment. The legal workers were served with a tribal court order barring them from any further work on the reservation. Those detained in the incident ranged in age from 3 to 90 years.

In Cleveland, where he spoke at the City Club and at Western Reserve/Case University to raise funds for legal costs, Russell Means told listeners that if the Oglalas "lose at Wounded Knee, everybody loses. If you do not take a very close look at what is happening at Wounded Knee, then you don't know what your country is all about, and you don't deserve it."

In Washington, Rep. James Abdnor made what is amounting to his daily denunciation of AIM, the U.S. Government (for not "employing whatever force is necessary") and the media and added that the people of South Dakota had tolerated the "ridiculous situation at Wounded Knee long enough."

The U.S. was trying to arrange a new cease-fire, but spokesmen said it may take them several days.



Assistant Attorney General J. Stanley Pottinger, the U.S. chief negotiator on the scene, said that the previous day's gunfire was "a significant and dangerous turn of events" and warned that the patience of the U.S. marshals, FBI agents, and Border Patrolmen "is not inexhaustible."

In a thinly-veiled threat, Pottinger said "the possibility remains that a forceful taking" may be necessary.

Thursday, April 19, 1973

There were heavy thunderstorms, hail, snow, wind, as the Grandfathers passed through Wounded Knee. Negotiations between the Oglalas and the U.S. were all but non-existent, and the little talking that did occur centered on continuing the ceasefire that had been in effect for two days now.

Frank Clearwater was still in serious condition in Rapid City.

The government was in the ironic position of having to allow Stanley Holder, AIM security officer who had been arrested two days ago, to return to Wounded Knee to enforce the cease-fire agreement. Carter Camp also appeared for the brief talk with U.S. officials, but he said that any decisions would be made in open meeting with the village occupants.

Chief U.S. negotiator Stanley Pottinger disclosed that he had met with elected tribal council chairman Richard Wilson and several displaced residents of Wounded Knee

for an hour the day previous. He also said that the rifle shots which had been creasing the prairie and aimed at Wounded Knee had been coming from those people. Seemingly the U.S. troops were unable to keep peace among its own ranks, although it did not hesitate to criticize the occupation force inside Wounded Knee for the same situation.

The Justice Department was also ill at ease about the approach of Easter weekend, at which time support from many groups might materialize.

"Persons who travel with the intent to participate in the civil disorder at Wounded Knee, or with the intent to aid or abet any person so participating, may be subject upon conviction to up to five years in prison and a \$10,000 fine," deputy attorney general Joseph T. Sneed announced in Washington. He said that all U.S. attorneys and FBI agents had been alerted.

It was also rumored around Washington that the Justice Department was uptight about the approach of summer holidays, when thousands of college students might

converge upon the area to aid in the occupation. It is one thing to deploy armored personnel carriers and hundreds of armed agents around "dissident Indians" and quite another thing when the ring is around the sons and daughters of America's backbone.

A member of the Legal Defense/Offense Coalition which has been providing legal services to the Oglalas at Wounded Knee was ejected from the Pine Ridge Reservation by BIA police. Fran Olsen, a Washington attorney, was escorted from the reservation when she attempted to post bail for another attorney, James Fennerty, who had been jailed the previous day with 21 other persons and charged under tribal law with unlawful assembly.

The group had accompanied the 14 displaced residents who re-entered the village. While they went only as far as the federal blockades, the arrested group were charged under the tribal ordinance which bans any gathering of five or more people without a permit from the tribal council.

"My Boy Ought To Get A Medal Of Honor"

(This account is part of a longer one by James Parsons, a staff writer for The Minneapolis Tribune.)

The confrontation at Wounded Knee has been mentally painful for Enos Poor Bear.

He doesn't believe in all the violence — the shooting and the malicious damage — nor in the talk about killing the "pigs" or dying heroically in a fight with federal officers.

Poor Bear, after all, has been a responsible leader on the Pine Ridge Reservation, both as tribal president and as a member of the tribal council. He is a loyal American who still suffers from wounds he got in World War II.

But his 21-year-old son got shot at Wounded Knee. Shot by the federal officers who surrounded the town after it was taken over by the militant Indians.

"It ain't right," said Poor Bear. "My boy was a paratrooper in Vietnam and he got a purple heart fighting for his country. Now federal marshals have shot him. I tell you, it ain't right."

"In 1890, the Bluecoats shot down our people here and they gave 18 of the soldiers the Congressional Medal of honor for shooting mostly children and women, some of them pregnant — if them soldiers got medals, then my boy ought to get a Medal of Honor, too, for getting shot here."

Poor Bear was agitated, of course, because his son had been shot in the hand and didn't have anything to wear but his blood-soaked clothes, but the old grievances against whites weren't the product of anger.

They have been there a long time. That's why he goes along with the occupation of Wounded Knee, even though he has little in common with the men leading the occupation.

"They are making those people in the government listen to us," he said. . .

One middle-aged man who works for the BIA spent 30

minutes talking about everything but Wounded Knee until he decided the white reporter could be trusted.

"There's lots of wrongs here," he said. "The police (Indians hired by the BIA) don't treat people right. There's lots of things wrong."

There are a lot of Indians on the reservation who don't agree. They support the tribal president, Dick Wilson, whose contempt of AIM and its leaders is unstinting.

"They're a bunch of renegades, nothing but a bunch of spongers. They're social misfits. Their lawlessness, their tactics of violence give the rest of us a bad name," he says.

But Linda Staples, a teen-ager making a snowman near the Roman Catholic Church in Wounded Knee, doesn't engage in colorful rhetoric or brave talk about dying.

"I'm here," she said, "because I want better things for my people."



THE MESSAGE FROM WOUNDED KNEE

The people at Wounded Knee are sending us a message. They are telling us that there comes a time when people — men and women — must stand and fight to create the kind of life that is worth living as human beings. There are certain basic human rights, which, when taken away, can not be negotiated, but must be taken back. . .

We should educate others about Wounded Knee, and think about what they are doing, as it relates to our own lives. We must, like them, develop the strength to respect our lives, and what is necessary to resist becoming slaves of the state or of industry; to resist the rape of our land; and to think seriously about what are the qualities of human life and social community that are important, and fight to create a situation where they can be achieved.

(This statement is from an article on Wounded Knee 1973 which appeared in the Tribal Indian News for March, 1973. The paper is published monthly at 226 Piccadilly St., London, Ontario, by editor Robert Antone.)

"There Are No Indians Out At Wounded Knee."

— A TRIBAL COUNCIL SUPPORTER



Friday & Saturday, April 20, 21, 1973.

The United States Justice Department recalled its top negotiator at Wounded Knee, assistant attorney general Stanley Pottinger, for consultation as the mutterings from tribal council supporters grew more ominous, and as the Oglalas inside the village showed no signs of buckling.

Pottinger said before leaving for Washington that he was "concerned as a negotiator that the option I represent — to negotiate a settlement not involving force — has come to an end." He added that the U.S. was in control of the situation, "but not in control of the people."

He painted a gloomy picture of the 53-day-old occupation. No new negotiations are in sight, and the senior federal official left would be "engaged in a holding action." The government might soon have to resort to "police enforcement."

The government still stands ready to negotiate, he said, "but if we come to the conclusion that it cannot be done, then I assume the civil negotiators will have exhausted efforts and it will become strictly a police question. . . I would have to conclude that we are closer to the end of negotiations and I say that very regretfully."

Pottinger faced other troubles, perhaps, although many law enforcement officials have been delighted to see vigilante action do the kind of stunts which they themselves would be disciplined for. Francis Randall, chairman of the Wounded Knee Community said that there would be a May 4 deadline, and if there was no settlement then, "We are going to go in with rifles and kick them out."

Richard Wilson, tribal council chairman, said he was going to get a federal court order to force U.S. marshals and FBI personnel from the reservation. He indicated that he had recruited enough outside help to work under his command to retake the village, although he would certainly be depending upon the beefed-up strength of the BIA police force.

Randall questioned the right of the Justice Department to negotiate with the occupation force. "There are no Indians out at Wounded Knee," he argued. "There are nothing but Chicanos, Negroes, Russians, and Cherokees. They call themselves the American Indian Movement. It's the American Communist Movement."

In Boston, the FBI announced the arrest of Bill Zimmerman, national organizer and co-ordinator of Medical Aid for Indochina. The 32-year-old Somerville,



—Liberation News Service
Conversation in the Catholic Church at Wounded Knee

Massachusetts, man was charged with conspiracy to violate the federal antiriot statute for a part he allegedly played in the airlift of food into Wounded Knee earlier in the week.

Those arrested for the airlift are to have hearings before a Rapid City grand jury. It apparently had been planned three weeks ago, but the action was cancelled when the April 5 agreement was signed. When the agreement fell apart, the plan was reactivated.

The supplies included 112 pounds of cheese, 300 pounds each of flour and rice, 200 pounds of beans, 300 pounds of vegetables and fruits, 100 pounds of sugar and 155 pounds of ham.

The group left Chicago late Friday, April 13, but the weather was stormy and cold and the next morning freezing temperatures left one of the planes unable to start. But early Tuesday, everything was perfect.

Shortly after midnight in Rapid City, the group got together, boarded the planes, and were ready to take off by 4 a.m.

"The delivery of these packages of food to the courageous people in Wounded Knee is being carried out by a large number of Americans who have worked, and continue to work, to end American aggression in Indochina," the group said in a printed statement. "Those of us in the anti war movement must realize that the frustration and disillusionment which we may personally feel are only symptoms of a misunderstanding of our real ability to affect the course of this country's policies. Wounded Knee shows us that just struggles cannot be stopped by any president or any policy."

After his arraignment, Zimmerman was released pending a hearing. Outside the federal court house, Zimmerman said, "I was accused this morning of bringing food and supplies to people who, from newspaper accounts, have been subsisting on a bowl of rice a day for several weeks."

On April 11, the Federal Aviation Administration, at the request of the Justice Department, had banned all aircraft from the vicinity of Wounded Knee for any altitude under 9,000 feet.

The FAA said the Justice Department said the order was necessary "for purposes of preventing loss or damage to low altitude aircraft from ground-to-air firing of weapons in this area." The order was issued without the usual 30-days notice because of "the requirement for the immediate adoption of this regulation."

For his part, Senator George McGovern asked federal authorities to clear the Indians out of Wounded Knee before angry private citizens do the job for them. McGovern aides made public a letter McGovern wrote to former Attorney General Richard Kleindienst in which McGovern said that "time was running out" on the current Justice Department policies.

At an airport news conference in Tulsa, Oklahoma, Russell Means said that United States remarks in the United Nations on Friday would apparently give Oglalas justification to take over militarily all of western South Dakota. "The U.S. made a statement that because of continued violations by North Vietnam of the treaty that the treaty is no longer applicable, and that therefore the U.S. has the right to do what they want in North Vietnam," Means said. "We are saying the same things — after 105 years of treaty violations, we say that the treaty is no longer binding on us."



Sunday, April 22, 1973

All over North America, it was Easter Sunday and millions of Euro-Americans (and others) put on their best pink bonnets and carefully pressed suits to parade before their fellows and to attend religious services.

There were no services in Wounded Knee, however, and hundreds of FBI and U.S. marshals were not at home with their families. The armed confrontation continued, seemingly with greater power than the religious ceremonies occurring on the land.

And about 50 other persons who had tried to get into Wounded Knee spent the day (and more) in jail after being arrested by federal agents.

Richard Hellstern, deputy assistant U.S. attorney general, left in charge of the U.S. forces, said that Marvin Franklin, the assistant to the secretary of the Interior for Indian affairs, would be at Pine Ridge on Monday. So would Kent Frizzell — but with a new job. He had been confirmed by the Senate for a position as solicitor for the Department of the Interior. Formerly, he had been with the Justice Department.

Another light plane had been into the airspace over the village, this time in darkness, and federal officers were left wondering what, if anything, the plane might have dropped.

Although Spring was now one month old, the weather was cold. It has been snowing and a 35-mph wind howling over the prairies made it seem much colder.

In the snow, one federal roadblock moved 300 yards closer to the village — not a terribly difficult feat considering the gunpower and presence of armored personnel carriers to protect the move.

The Oglalas said that the move constituted a violation of the ceasefire, however, which stipulated that both sides would maintain their present perimeters. Hellstern could only reply that they should not interpret the move as a violation, or as an offensive tactic. In fact, he said, a ceasefire is not in effect.

U.S. Marshal Jack Richardson of Wichita, Kansas, deputy commander of the Special Operations Group, said his men had witnessed a re-enactment of the crucifixion of Jesus. For nearly six hours, various persons kicked and pummeled "an unidentified person" tied to a makeshift cross near one of the bunkers. He said that the "person" was cut down and dragged back to the village late Sunday afternoon. However, neither he nor his men seemed to get the message.

National Council of Churches representative Rev. John Adams reported that about 70 persons had begun a five-day protest march from Rosebud Reservation to Wounded Knee. Hellstern said that the marchers will not be allowed to enter the reservation.

NO MENTION OF WOUNDED KNEE, BUT NIXON HONORS JIM THORPE



APPEASEMENT DEPT.

President Nixon hasn't had anything to say about Wounded Knee. But to show he really likes Indians, April 16 was proclaimed Jim Thorpe Day.

Don't feel stupid if you didn't know. Neither did his family.

The proclamation was to honor the legendary Indian athlete, and it called upon the people of the United States "to mark this day with appropriate observances."

Grace Thorpe, his daughter, now a student at the Antioch School of Law, said that when she first heard of the news, she

thought the President's action was really great. "I was thrilled," she said.

But on second thought, she wondered, why wasn't the Indian community informed. Or why wasn't the family notified? "My brother, Major Carl Thorpe, and I both live in Washington. We would have liked to witness the signing."

Grace Thorpe also has doubts about the real purpose in naming the day. "Is someone exploiting my father's name?" she asked. She said she had written to President Nixon about Indian bills which have been stagnating in Congress.

She said she hoped that there would be action as quick on them as there was on the proclamation.

"His prowess on playing fields from Carlisle Institute to the Stockholm Olympics remains legendary in this, the 85th anniversary of his birth," the proclamation reads. "The history of college and professional football, world decathlon, and pentathlon competition and major league baseball is permanently enriched by the contributions of this noble American who has been acclaimed by some as the greatest athlete of the first half of the 20th century."

Justice Dept. Admits Refusal To Negotiate

Monday, April 23, 1973

The Justice Department finally admitted today that it had been refusing to negotiate with the Oglalas at Wounded Knee for the last 10 to 12 days.

Deputy Assistant Attorney General Richard R. Hellstern said the reason for the refusal was that the occupiers of the village had not provided a "precise agenda" for the discussions. He complained that at past negotiating sessions, the Oglalas had insisted on discussing every complaint at length with long speeches.

Although he didn't say what else he had to do with his time while he was at Pine Ridge, Hellstern said, "I am no longer willing to waste 45 minutes of my time in the hope that 15 minutes will be productive."

And why Hellstern wanted an agenda is not clear either. He has insisted that if negotiations did resume, that the only possible basis for discussion would be the implementation of the April 5 agreement — or at least, the U.S. version of what that much-disputed agreement meant.

Under that agreement, the U.S. agreed to investigate complaints, hold White House talks, and similar concessions, while the occupation force agreed to vacate the village. Ramon Roubideaux, an attorney for the group, said that the U.S. was only seeking trouble by calling the agreement a "surrender."

A demonstration of people sympathetic to the occupation force was still making its way from Rosebud to Wounded Knee, with about 125 marchers on the highway today. The march was still about 80 miles away from Wounded Knee.

"There's nary an Indian marching," Hellstern said, intimating that non-Indian peoples had no business supporting Wounded Knee. "At least 90% are white," he said, "and there were a few Orientals and a few Chicanos." His own force of over 300 law enforcement officers is almost entirely composed of white people.

Although the Oglala Sioux Tribal Council has not had a quorum so that it could conduct business since the occupation began, Hellstern insisted that the tribal council had adopted an emergency resolution providing that only invited outsiders will be permitted on the reservation. He said that BIA police would meet the marchers and stop them at the edge of the reservation.

Stan Holder, AIM security chief, left Wounded Knee again to be arraigned in Rapid City on federal charges. He was picked up by a federal helicopter in the demilitarized zone midway between AIM and U.S. roadblocks. Although he had been arrested earlier, federal officials decided to release him so he could return to Wounded Knee to help reinforce a cease-fire.

Monday night, for the first time since the occupation began, the United States arrested members of the group which support the tribal council. Eight persons from the council's roadblock were charged with assaulting federal officers after they barred the passage of Community Relations Service workers of the Justice Department.



The eight arrested men said they had been deputized by the tribal council executive committee, which had declared an emergency, and the chief tribal judge, Theodore Tibbetts, as emergency law enforcement officers for the tribal council.

Dick Wilson, tribal council chairman, responded with a call to "all able-bodied Oglala Sioux" to head toward Pine Ridge with rifles to establish another roadblock. He said that he and 200 armed tribal members would set up a strong road block tomorrow.

In the incident causing the arrests, the tribal council group pointed their weapons at Wayne Colburn, chief of the U.S. Marshal Service and a shoot-out appeared imminent.

"The discussion became so belligerent that we decided that this problem could no longer be allowed," Hellstern commented later.

Dick Wilson had his own comments.

"I'm fed up with the Department of Injustice," he said.

Lynanne Jacob, of Oakland, California, talked to reporters today about her three weeks inside Wounded Knee caring for health needs. She is a registered nurse who had volunteered to help the Oglalas.

"I would say their morale is quite high considering the circumstances," she said. "But a continual problem is boredom and the threat of disease." She said that the possibility of scurvy was strong, "because they have not had any fresh vegetables, lemons, or limes. Most of the people have suffered off and on from varying degrees



Tom Oliphant . . . Airlift Mastermind, U.S. says —UPI photo

of respiratory problems — right now, they are recovering from the flu, which was quite rampant for about a week."

Ms. Jacob had her hospital set up in the home of Clive Gildersleeve, which had been converted to that purpose a few days after he and his wife finally decided to leave the village. They had remained about ten days after the occupation began.

She described the general living circumstances: the occupants have blankets, but there are few beds. Half of the occupants are women and children. Cooking is done on hot plates because there is no propane available. Sewage disposal is a problem, and toilets are plugged, causing doctors to fear an epidemic. No time is available.

In Pine Ridge, Stanley Lyman, BIA agency superintendent, told reporters that his agency has been unable to work on long-range projects since early February.

"I've been working 20 hours a day during February, March, and April, and of that whole time, I've worked less than eight hours on projects that are positive for the tribe," he said. It is many of the projects which the BIA and tribal council have been operating that Oglalas at Wounded Knee say caused the unrest in the first place.

Lyman said he would not resign as long as the BIA and the elected tribal council asked him to remain. He said he saw little good coming from the occupation.

In Englewood, Colorado, Lloyd Grimm, the U.S. marshal who was shot March 26 and is partly paralyzed from the waist down, told reporters he held no animosity against the Indians. "I knew somebody would get shot somehow, some way," he said. Federal officials still have not released reports on the kind of weapon he was injured with, and it is widely believed that he was caught in crossfire and hit by a U.S. bullet.

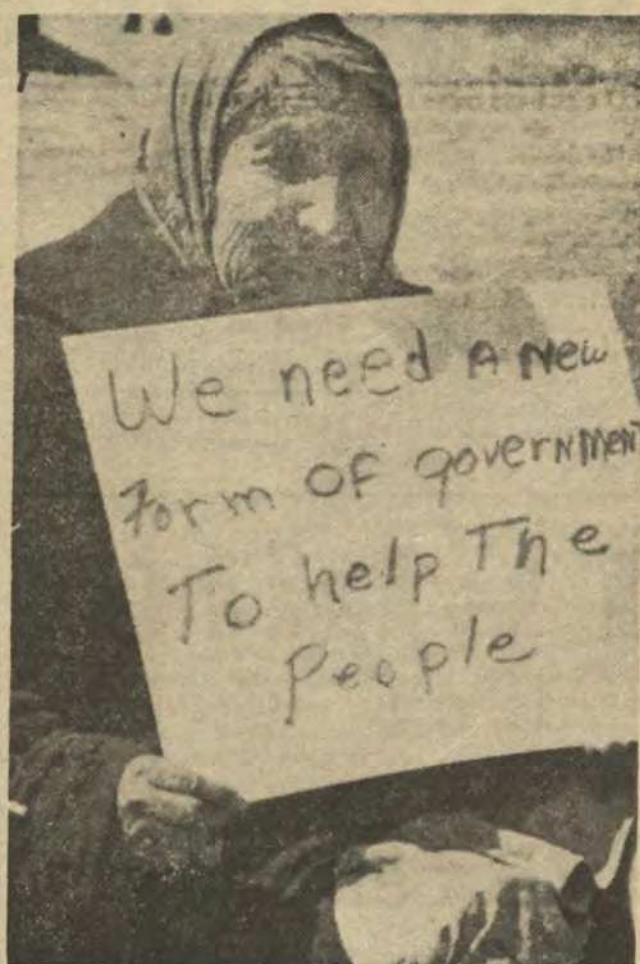
Tom Oliphant, a Boston *Globe* reporter, surrendered voluntarily to FBI agents, appeared in Federal Court, and was released on his own recognizance. He had written a first-person account for his newspaper of the air-drop of supplies into Wounded Knee last week, and he was charged with conspiring to violate the 1968 anti-riot crime control act.

Oliphant had watched the packing of the parcels to insure that only food and medical supplies was included, and then he flew with one of the planes over Wounded Knee.

Oliphant's case bears strong similarities to that of investigative reporter Les Whitten, who was charged earlier this year with receiving stolen government property while similarly, he was covering a story on Indian matters. The reporters say that their rights to cover such stories are fully protected by the First Amendment, and that the U.S. is attempting to muzzle newsmen sympathetic to Indian causes.

Oliphant's articles revealed that one of the planes encountered serious trouble during the flight. A parachute was sucked out of the ship in which the reporter was riding and one of the duffle bags fastened to the chute almost destroyed the plane's tail and an emergency landing had to be made.

Oliphant said the registration numbers of the planes were not covered up, and that likely the U.S. had said



A Young Oglala Militant —UPI

the identification was concealed in order to cover up the embarrassment of not preventing the airlift.

"The government considers Oliphant to be the organizer of the airdrop," Richard Hellstern said, speaking for the Justice Department.

Oliphant has a reputation as a journalist who will respect sources of information. He was invited to join the group planning to drop supplies on Wounded Knee, and with the approval and support of his paper, went on the flight.

His attorney, J. Barrett Prettyman, has also acted as counsel to the Reporters' Committee for Freedom of the Press. He notes that the charges are similar to the ones filed against the Chicago 8 after the Democratic National Convention. He calls the charges against Oliphant "outrageous" and has filed a complaint with a federal court in Washington on the matter.

Carol Friedenberg, who now works for the Reporters' Committee, says "the charges cannot possibly stand up. This is just another attempt to discredit the press." Other reporters said they had received invitations to cover the airlift, but because of the pressures of such events as Watergate, they had to decline.

Friedenberg notes that cases of reporters charged with legal offenses by the U.S. is a relatively new tack in the continuing war on the press by the current administration.

"It's just lately that our group began to get complaints about criminal charges being lodged against reporters," she says. "It's a very serious situation, and Tom's case may be the most important yet."

Les Whitten, an associate of Jack Anderson's, was also charged with offenses arising from his coverage of the liberated documents taken at the time of the Trail of Broken Treaties last November, but a federal grand jury refused to indict him.

In Chicago, another man was arrested for dropping food into Wounded Knee last Tuesday. He was William P. Wright, 26. He was held in Cook County Jail for an appearance before a U.S. magistrate tomorrow.

Elsewhere, economic development people were starting to worry about the effects of Wounded Knee on the industrialization of reservations.

C. Mac Eddy, director of the Navajo tribal council's division of Program Development, said that now industrial leaders "feel the economic gains and labor advantages are offset by the animosity their people and families receive, the fear of having their facilities and equipment taken over or destroyed, and the fact that no housing is available on a local level for key personnel."

Eddy said there had been discussions with the National Rifle Association about locating the NRA's \$20-million headquarters on the reservation. But, he said, the negotiations went sour when the BIA office in Washington was taken over.

"Several other industrial companies have developed a sudden lack of interest as the various militant operations take place," Eddy remarked. "All we need now is an incident on the Navajo Reservation, with publicity, and you can kiss industrial and commercial development goodbye."

U.S. Marshals Provoke Lawful Residents Of Wounded Knee

Tuesday, April 24, 1973

About one hundred persons, including some women and children, defied the Justice Department this afternoon and set up a new roadblock on the trail to Wounded Knee.

Even while they were doing so, deputy assistant attorney general Richard R. Hellstern, in charge of Justice Department operations, was telling a news conference that the tribal council faction would not be allowed to make such a move.

Perhaps Hellstern only thought he was in charge. Oglala intelligence sources said that the Interior Department and the FBI had agreed secretly to allow the roadblock to be put in, and they did not tell Hellstern about the move.

Left holding the bag, Hellstern later weakly explained that the roadblock was under the control of the FBI, and that the few FBI men who were present was evidence of that fact. However, on the site, the FBI agents would not say who was in charge, and the tribal council spokesmen said the road block was under their own command.

To satisfy U.S. demands for an agenda so that the negotiations wouldn't "waste time", the Oglalas inside the village had sent a discussion proposal out via Community Relations Service personnel. However, Hellstern said that several of the proposals for talks were "very broad" and would require explanation.



The new tribal council roadblock came just 18 hours after federal marshals had torn down the old roadblock that had been manned for the last week. The arrests came when eight men refused to let Community Relations Service personnel pass through. The eight were Carl Bettyloun and Philip Richards of Martin; Louie Left Herron and Marlyn Parmeter of Batesland; John Hussman of Wounded Knee, and Howard Blue Bird of Allen (all of whom were released on their own recognition) and Woody Richards of Wounded Knee and George Ghost Bear who were released on \$1,000 bond which was not secured.

Dennis Hill, attorney for the group, said that federal marshals "continue to provoke the lawful residents" of Wounded Knee. However, only two of those arrested were from that village — both are tribal council employees. "Their roadblock was maintained by unpaid volunteers who worked in full cooperation with BIA police, FBI, and the federal marshals." Prior to this, U.S. officials would not acknowledge that they were cooperating with the "third force" blockade. Hill said the arrest of the men was "rank inconsistency" which was "almost impossible to comprehend."

The roadblock was allowed on direct orders from Washington. At 12:15 p.m., a helicopter bearing two senior FBI agents landed alongside the highway. One of the agents, Richard Held of Chicago, who is in charge of FBI operations at Pine Ridge, told tribal council chairman Richard Wilson that word had come from Washington that the tribal council was to be allowed to re-establish the roadblock.

Wilson told reporters that he was given to understand that all CRS officials would leave the reservation, and that the eight persons arrested at the tribal roadblock would be released without charges. Hellstern, apparently still in the dark on what was happening, held a 2 p.m. press conference and said that all of this was false. He said that if the FBI men did make any concessions to Wilson, it was because of "a breakdown in communications."

Wilson had gone on radio and TV to urge tribal council supporters to come to the defense of the tribe against the "Communists" who were going to take over the reservation. As supporters began to arrive at the BIA headquarters at 7 a.m., Hellstern, Wilson, and Stanley Lyman, the BIA agency superintendent, met at Lyman's home. At 11 o'clock, Wilson led a motorcade of 30 cars 10 miles out on US Highway 18 to where it intersects with Big Foot Trail, which winds seven miles into Wounded Knee. There, they had been confronted with 24 U.S. marshals, who urged them to wait for the results of meetings going on in Washington. It was then that the helicopter-borne FBI agents arrived to give the go-ahead.

Once the go-ahead was received, Wilson sent most of the demonstrators home, although some stayed on to work in conjunction with the FBI.

Wilson also met today with James Abdnor, a militant congressman who has been furious with the Justice and Interior Departments, who, he said, have spent \$3-million on Wounded Knee and still have not regained "law and order".



—LNS photo
Dick Wilson . . . takes command of Justice Dept.

In Phoenix, Arizona, Herb Powless, a leader of Indian activists in Milwaukee, Wisconsin, was held by FBI agents who said that he was purchasing weapons for Indians at Wounded Knee. Authorities said that an informant had led Powless into a trap. They said they had confiscated three M-1 carbines.

Powless was charged with conspiracy to transport firearms across a state line to further civil disorder, and he was held on \$25,000 bond. His release was secured later by Milwaukee attorney Dennis Coffey, who flew to Phoenix.

The FBI claimed that Powless had met with Russell Means in the company of the informant, in a Rapid City hotel room and planned the purchase. The informant planned the purchase of the weapons from a pawn shop where the men were allegedly trapped by the FBI.

"Liberty And Justice For All"

(One of the participants in the march from Rosebud to Wounded Knee was Jim Peck, a veteran pacifist/activist and staff member of the War Resisters League. His account was published in WIN magazine, whose offices are at Box 547, Rifton, N.Y. 12471.)

AIM called upon people across the country to converge on Wounded Knee Easter Sunday, and join in delivering much-needed food and medicine. Would the federal [U.S.] government have the humanity to relent on its roadblocks for Easter Sunday? Or would the marshals pursue their customary policy of blockade?

Unfortunately, the response to AIM's call was meagre. By Sunday morning, only some 70 persons had assembled at Crow Dog's camp near Rosebud. Many had travelled a long distance. Groups in cars came from Oregon and Maine, from Berkeley and Madison, from Minneapolis and Indianapolis. The Indians assembled for the occasion and the whites who had already been working on the scene did not have to travel. On Saturday night, 15 of them were arrested for trying to run food into Wounded Knee through the roadblocks under cover of darkness.

Because of the small turnout the AIM leadership decided on a change of plan. Instead of attempting to enter Wounded Knee on Easter Sunday, on that day the assembled group would start a march to Wounded Knee, arriving there the following Saturday (the distance is 100 miles). This would give time to rally more participants as the march gathered momentum.

The plan was submitted to the group assembled at Crow Dog's camp. Al-

though there was some opinion favoring postponement because of the light turnout, the majority felt that if we didn't start now, the show might never get on the road. Though the group had no formal structure, no appointed or elected leaders, no name even, we operated with customary democratic procedures. This was to be a nonviolent march, without guns. Though several of the participants felt differently, they accepted the policy of non-violence.

Less than an hour after the decision-making meeting, we hit the road. Three marchers, one holding aloft an AIM pendant, walked about 200 yards ahead. In the event of an armed attack by white vigilantes, the pennant would be lowered. This would alert the marchers to quickly duck into a ditch or dip alongside the road. The van carrying food and the medical station wagon, which brought up the rear, then would pull alongside where the marchers were lying down to protect them from gunfire. So that all participants would become familiar with the procedure, we held a surprise drill. The danger of an armed attack along these little-travelled roads, though small as long as we were on the Indian reservations, would become substantial once we crossed into Bennett County, the one white county along our route.

It was 2 p.m. on a sunny Easter Sunday when we started. Leading the march were five or six persons carrying a long strip of canvas inscribed with "Liberty and Justice for All." In addition to Indians and whites, our group included three blacks from the Deep South, and

three blacks from the Deep South and several Orientals. Many of the marchers were young women. Around 5:30 p.m. we set up camp for the night along the roadside. Building fires was essential because at night, even at this season, the local temperature is in the 30s and sometimes below. Having no sleeping bag, I slept under blankets on the floor of the food van — and still I was freezing. Throughout the night, marchers took turns at security watch, to guard against vigilante attacks.

Next day, back on the road, slowly traversing the barren stretches of plain. That night, we camped a couple of miles short of Bennett County line. It rained during the night and next day dawned cold and foggy. After a well-wishing sendoff by Chief Frank Fools Crow, we crossed into the white county and stopped for lunch at a small village called Vetal. Many of us ate at one of the village's two cafes, but encountered no hostility. We had been told that the dangerspot was Martin, about 21 miles ahead, where white cowboys in the bars actually had threatened an attack on the march. Our campsite that night had the natural protection of a high hill of sand. Since we now were in Bennett County, we doubled the security guard and squeezed sleeping bags into a more compact area.

Next morning, a cold gray one, we set out on our fourth day. Until then, the only visible evidence of government power had been an occasional police car driving back and forth. Occasionally, it would park by the roadside ahead of us, and one of its occupants would take

mug-shots of the marchers as we passed.

But that Wednesday at noon, about 5 miles out of Martin, we sighted a roadblock ahead. We halted about 200 yards away and a delegation advanced to the roadblock. About 80 federal marshals, BIA police and plainclothesmen stretched across the road. Some were on the ready with rifles and gas guns. Vernon Bellecourt had arrived to represent AIM. After a brief conference, and he and our delegation returned to the march. The word was that if we should try to bypass the roadblock, we'd be arrested. Bellecourt was of the opinion that we were not sufficient in numbers to make an arrest effective — especially in consideration for the overburdened Wounded Knee Legal Defense/Offense Committee. The many persons arrested since the start of the Wounded Knee occupation have been bailed out rapidly and no trials have taken place thus far. Bellecourt advised that the march terminate herewith. Our group met by the roadside and concurred. So, we boarded the food van, the medical station wagon, and a few other friendly cars and returned to Crow Dog's camp. There, we heard the sad news that Frank Clearwater, shot in a gunfire exchange 8 days previously, had died in the hospital.

Although we did not reach our destination, the march proved effective, I feel, as a nonviolent action in support of Wounded Knee. During its four days duration, and even before it started, it received considerable media publicity.

Frank Clearwater Passes Into Spirit World



Wednesday, April 25, 1973

Frank Clearwater passed into the Spirit World today.

Wounded Knee II had claimed its first life. He had not recovered consciousness since he was shot in the head April 17 while lying in a church inside the village.

His wife, Morning Star, asked that he be buried at Wounded Knee. She is 37, a Cherokee from North Carolina. Her husband is Apache, and was 47.

Richard Hellstern, deputy assistant U.S. attorney general, the top U.S. official at Pine Ridge, said that the U.S. would not permit the body to be buried at Wounded Knee because Clearwater was not Sioux.

Hellstern said an FBI investigation had revealed that the man's name was Frank Clear, and "we tend to believe he was white rather than Indian." (Many states recognize only three racial classifications: white, black, and oriental. Most Indians are listed as "white" on driver's licenses, birth certificates, etc.)

Mrs. Clearwater, three-months pregnant, said neither she nor her husband were members of AIM, but that they were sympathetic with the Oglala goals, and had come to South Dakota from North Carolina only a few days before her husband was shot.

Besides his petty remarks, Hellstern finally had to admit that for the time being, Community Relations Service personnel would not be allowed to enter Wounded Knee, and tribal council supporters could remain at a roadblock on the perimeter of the village. That represented a complete capitulation to the demands of Dick Wilson, tribal council chairman.

Hellstern also had to admit that guns had been levelled at him, chief Interior Department Solicitor Kent Frizzell, and the chief U.S. marshal, Wayne Colburn, late Tuesday at the disputed roadblock. However, none of the four men involved in the incident were arrested.

Relating his version of the incident, Wilson held his fingers a short distance apart and said, "We came this far from shooting Frizzell and Colburn." Wilson, who said he was beginning to regard the U.S. officials as enemies, said that Frizzell had jumped from his car "raving mad" and had demanded the removal of the roadblock. The roadblock stayed.

Assistant for Indian Affairs to the Secretary of the Interior, Marvin Franklin, came to Pine Ridge today to try to mediate the widening gap between the reservation tribal council and the Justice Department. Although Hellstern said that the Justice Department would not budge from its position that it alone would decide who would go to and from Wounded Knee, he apparently was overruled by his superiors in Washington.

Word was sent out from Wounded Knee that there would not be any negotiations for the next four days because of a period of mourning which had been proclaimed for Frank Clearwater.

Earlier in the day, about 100 marchers en route to Wounded Knee from Pine Ridge were stopped by some 50 BIA policemen and federal officers. The group had covered about half of the 60 mile route, and were met about 10 miles east of Martin, a community about 40 miles from Wounded Knee and about 15 miles east of the reservation line.

The police blocked U.S. Highway 18. Generally, the area, although disputed as to ownership, is regarded to be off the reservation and is so shown on BIA maps. Delmar Eastman, a special BIA officer at Pine Ridge, said that reservation officials and the U.S. considered the state area part of the reservation "because there are thousands of acres of Indian trust land" in Bennett County. He served the marchers with a tribal council restraining order.

South Dakota attorney general Kermit Sande, the state top law enforcement official, said he had no knowledge that the U.S. had notified state authorities they would take action against the marchers.

Vern Bellecourt, AIM national co-ordinator and one of the leaders of the march, told the group not to try to break through the police blockade. "These people are peaceful, and we don't want to risk any of them getting hurt, so we're turning around," Bellecourt told newsmen. The police were fully armed.

A national convention of the American Indian Movement which had been scheduled to begin May 1 at Pawnee, Oklahoma, was called off today. Hank Howell of Ignacio, Colorado, said the convention will be rescheduled and the tentative date will be about July 1. It definitely will be in Oklahoma, he said, and probably in Pawnee. At least one Oklahoma newspaper has already editorialized against the meeting and said, "Let's crank up the tanks."

About 600 persons had already gathered at the site of the Pawnee tribal campgrounds. An aide to Governor David Hall said that the convention had been postponed until at least July 1 since both sides were afraid of violence. Six native persons from California were arrested Sunday, and police said they had found a half-dozen guns — although none were illegal, apparently.



—Associated Press
Vern Bellecourt (fur hat) & BIA policeman Delmar Eastman (cowboy hat) in front of roadblock on U.S. 18 near Martin, South Dakota. Police line road in background to prevent support group from using highway.



WOUNDED KNEE 1890
WOUNDED KNEE 1973

Bloody, frozen carcasses —
That was Wounded Knee 1890.

Angry, braven warriors —
That is Wounded Knee, 1973.

Blood thought killed at Wounded Knee
Runs alive in grandsons in 1973.

An old man near death
Led his people,
Sought security
And a place to live
Back then.

Accused of warring, this half-dead man,
stripped of "weapons," the old
ladies with sewing needles,
Guaranteed protection
This tired, nearly-starved band —
Then slaughtered in the morning mist
At Wounded Knee, 1890.

Oh, great! They're gone! they thought —
Years of healing from wounds they wrought —
Blood thought killed at Wounded Knee
Runs alive in grandsons in 1973.

Modern warriors seeking justice
Shock the satisfied society.

Well I'll be damned! I thought
we killed those goddam savages!
We won that war!
They're on welfare. What do
they want more?
Kill those sonsobitches,
they don't own this place no more!

Or do they? There's talk of papers —
Treaties signed by sovereign nations
They say, that proves they're
Right at Wounded Knee.

Promises of the Nation superimposed
Upon our many Nations — signed
At bayonet point some —
With the aid of the holy priests,
The black-robed holy ones who
In return got a "share" of the savages to tame
And civilize and give a Christian name!

Looking at genocide not quite done
By IHS, Welfare, Government Housing,
and government guns.
Then ignorantly proclaiming:
"We'll sure as hell change their
life style."

Ah, hah, we speak back at Wounded Knee.
Blood thought killed in 1890
Runs alive in grandsons in 1973.

Long black hair flows free
Language of our grandfathers rolls
from our tongues,
We need no cross, we worship our way.
Our medicine is strong,
We know our Mother, white man,
that you try to ruin.
We see the becoming of our
old ones' prophecies, white man.

We pity you as you analyze
and scrutinize
and study
And try to judge
What is going on at Wounded Knee,
As you label this "a few militants
who do not express the total
Indian population."
You fool yourself and withhold the news
That in every state of your big Nation,
All our Nations march in harmony
With the wind that whispers
back from Wounded Knee —
The fulfilling of our old ones' prophecies
The finishing of what did not end at
Wounded Knee in eighteen hundred ninety.
Warning after warning our Earth Mother
has given you, white man.
You'll probably never understand,
And now today her children give
that same message at Wounded Knee
You cannot escape by calling us a
disgruntled minority.
Look us full in the face, white man!
Blood thought killed at Wounded Knee
Runs alive in grandsons in 1973.

Madgequommoqua

Wilson's Men To Be Trained By Federal Agents

Thursday, April 26, 1973

In an effort to soothe the ruffled feelings of tribal council leaders and their supporters, the Justice Department of the U.S. agreed tonight to give them a voice in how to handle the Wounded Knee situation. In addition, deputy assistant attorney general Richard R. Hellstern told them they would be given a daily briefing on what was happening.

In addition, young men supporting the tribal council would be given training by the United States Marshal Service and the Federal Bureau of Investigation so they may help to patrol the area around the village. Hellstern's announcement appeared to be merely official sanction of the status quo.

Hellstern said the official moves would, he hoped, eliminate the irritants that have kept tribal council chairman Dick Wilson upset for the past several days.

In return, Wilson would agree to take down the tribal council roadblock on Big Foot Trail, the main road leading into Wounded Knee. And Wilson would also agree to back down on his demand that mediators from the Justice Department's Community Relations Service be banned from the village.

The whole deal was reached after two days of closed meetings. In the meantime, there were no negotiations going on with the Oglalas inside the village. The people there were in a period of mourning following the death of Frank Clearwater.

In other actions today, the Justice Department asked federal district judge Andrew W. Bogue to revoke the \$25,000 bail bond of AIM leader Russell Means, an Oglala. The U.S. said Means should be jailed since he had not kept the Justice Department informed of his travel plans.

Judge Bogue postponed the hearing until tomorrow after attorney Ramon Roubideaux said that he had received no formal notice of the hearing, and that Means could not possibly get to South Dakota in time. He is in California.

The real reason behind the move to revoke Means' bond seemed to be statements Means had made to the press about the fact that since the U.S. had broken its treaty that the Oglalas had a right under international law to reclaim the western part of South Dakota by military means. Judge Bogue told Roubideaux he would consider continuing Means' bond if Means would make a public apology for the statements.

When informed of the judge's demand, Means told Los Angeles newspapermen, "I don't owe an apology to anyone, especially Judge Bogue." He said he would surrender to federal officials tomorrow rather than return to South Dakota voluntarily.

THE NOW SOCIETY



"What pueblos have you been to?"

The Rev. Ralph David Abernathy, president of the Southern Christian Leadership Conference, arrived in South Dakota to meet with demonstrators who were turned back by U.S. marshals, FBI agents, and BIA police on U.S. highway 18 en route to Wounded Knee.

The Justice Department announced that 68 persons were arrested last night when they tried to join the occupation force inside Wounded Knee. Some of the marchers were among those arrested. Sixty of them were arrested in one 20-car caravan at 1:35 a.m. in the small town of Kyle, north of Wounded Knee. They were all being held in the BIA jail at Pine Ridge.

Marvin Franklin, the Indian Affairs assistant to the secretary of the Interior, put a \$5-million price tag on "law enforcement" efforts around Wounded Knee. He said that the Bureau of Indian Affairs would have to repay the Justice Department for all costs involved — and that the money would have to come out of the BIA budget, or by a special appropriation of Congress.

Franklin said Indian programs would also have to be cut to pay for the damage to the BIA headquarters, which, he said, amounted to almost \$3-million. He said that it was only right that reservation Indians would have to suffer from the payment "so that they will learn the price of choosing irresponsible leadership."



Victim of U.S. attack suffering from four wounds

In Spearfish, South Dakota, attorney Ramon Roubideaux addressed an audience at Black Hills State College, and said he had "had a blindfold" over his eyes when he condemned the American Indian Movement for its connection with the Mount Rushmore occupation in 1971.

Roubideaux also said he was on the wrong track when he supported state jurisdiction for reservations. He said he was disillusioned with the American judicial system, and cited the scheduling of the trial of Darl Schmitz of Custer. It was Schmitz' arrest on charges of second degree manslaughter, rather than murder in the death of Wesley Bad Heart Bull that had set the whole complicated chain of events leading to Wounded Knee in motion.

At that time, the Custer situation was cooled by the promise that Roubideaux would be given time to investigate the death and to present facts to prosecuting attorneys for their consideration.

"We were just finishing our investigation — we haven't even got it typed up yet. Our recommendation is for murder charges," Roubideaux told the college students.

In his discussion of the occupation of Wounded Knee, Roubideaux likened the occupation to the American colonies rebelling against tyrannies and oppression by Great Britain.

Roubideaux said that his disillusionment came with the realization "there was no way within the system to combat this great, powerful, vicious bureaucracy which had now crept down even into tribal government." He said that many reservations were finding themselves a police state because of the improper use of law enforcement officials by tribal chairman and councils, who "intimidate, harass, and perpetuate their existence."

Senator George McGovern and representative James Abdnor were singled out for criticism by Roubideaux.

"Any public official who doesn't focus attention on the cause of a confrontation when people are willing to die for it, is a racist of the worst sort," he said.

The Pine Ridge tribal government, Roubideaux charged, demonstrates what's wrong with tribal government throughout the U.S.

"They're unresponsive to the complaints of the people; they're living the good life collaborating with government, not sacrificing themselves for the benefit of their own people, but prostituting themselves for their own personal gain. I blame them for abandoning the great majority of their own people and participating in the farce called 'self-government.'"

Roubideaux answered the usual question of "what does the Indian want?" this way:

"They want their own government back, they want their pride back, they want their right to do their own thinking, to make their own mistakes, to live their own lives as they see fit, free from governmental interference." Nothing less would satisfy the occupiers of Wounded Knee, he said.

Roubideaux spoke as part of an "Indian Awareness" Week. The same afternoon, Jess Town, assistant director of the Aberdeen area office of the Bureau of Indian Affairs, had opened the program by citing the need to "establish greater communication between the BIA and the South Dakota Indian tribes."

"The BIA is here to serve the needs of the Indian people," Town said. "The tribes must make their needs and wishes known so that programs can be molded and developed accordingly."



Billy Mills & Miss Indian America . . . The Show Goes On

Other speakers at the event were Billy Mills, who works for the BIA in Albuquerque. He is an Oglala, and an Olympic gold medalist. He spoke about his philosophy and Indian athletes. And then Louise Edmo, Miss Indian America, spoke.

"She urged all Indians to live up to Indian standards, to remember their forefathers and to pursue their noble human goals," the Rapid City Journal reported. Miss Edmo has been opposed to the Wounded Knee cause.

THE ROLE OF WOMEN IN WOUNDED KNEE

(This commentary appeared in the publication, *Pamaja Venceremos*.)

Women play a vital role in the struggle. The traditional role of Indian women is that they run the house and care for the family while the men do the hunting and protect the home. Inside the new nation, [at Wounded Knee], the traditional role of women is still practiced. In most cases, the women do the cooking and cleaning. In American society, this role has begun to be thought of as an oppressed position, but inside the Indian culture, the running of the home is respected and seen as important to survival. The woman has much to say about decisions concerning the family, and when a man talks down to a woman, he receives serious criticism.

In some cases, there are changes from the traditional roles. Some women are helping to do security and defend the new nation's borders. Some of the sisters have been part of the militant Indian struggles for the last four years. . .

Always women are treasured because they give birth to future generations. They are meant to bring joy and happiness into the warriors' hearts and make all feel like dancing. Without these strengths, no people close to the earth can survive.

The Indian way lives. It is a culture that teaches us to try to live with our brothers and sisters in peace. To share in surviving and to seek new understanding of the Spirit's Creation through living together, or dying together if necessary, and to defend that way of life which is our birthright.



My Only Son...

He Was

Friday, April 27, 1973

Wounded Knee II claimed its second life this afternoon during a gun battle which began late last night.

Lawrence "Buddy" Lamont, 31, was killed near a bunker used to defend the village. He is a brother-in-law of Lloyd (Toby) Eaglebull, secretary of the tribal council, and an outspoken critic of the force which occupies Wounded Knee.

The Oglalas charge that the firing was initiated by members of tribal council chairman Dick Wilson's "goon squad" which has been acting as a vigilante force with the approval and cooperation of U.S. officials. They say almost 40,000 rounds were shot into the settlement in the two-day battle.

Dr. Richard Basford, who had manned the medical clinic in the tiny village, told a press conference in Rapid City that during the night, in the light cast by the federal agents' flares, the occupying force could see gunmen running along creek beds and hiding behind small trees.

"They come up the creek on both sides," said Gladys Bissonette, an Oglala. "They fire mostly on the offense to get a fire fight against the Indians. The Feds claim that the Indians are shooting at them, but the Indians really aren't shooting — it's the goons in the middle. . . The federal marshals all know what they're doing — that's just an excuse to kill Indians."

Although the Oglalas have charged earlier that the federal agents were using gas to flush out bunkers, the charge was denied. However, the Oglalas were able to record a message over the U.S. radio communications, and later, Tom Oxendine, spokesman for the Bureau of Indian Affairs, told press that "a non-toxic" gas had been used.

"Throw gas into that bunker and flush them out so we can have good targets," the marshals said over their intercom.

The firing ended only when the U.S. forces received word of the casualty at 4:40 p.m. Oxendine said the U.S. responded that it would honor an indefinite cease-fire. He also said that the reason for the battle was that federal positions on the Wounded Knee perimeter had come under a heavy barrage, that federal officers had been ordered to hold their fire for more than four hours, but that the Oglalas kept shooting at them.



"I don't know what kind of gas they were using on us," a woman inside the village said. "They called it '79', and it would come across the prairie like a huge yellow ball."

"He was my only son, and I don't know what I'm going to do," Agnes LaMont mourned. She lives at the reservation, the mother of seven children. "His sister and her little baby and some other people — they told them it was all right to bring him out in an ambulance," she said. "And when they came out with the body, they put them all in handcuffs and threw them all in jail."

Mrs. LaMont said her daughter's baby was born at Wounded Knee and was only two weeks old. She said too that her son had expressed the wish to be buried at Wounded Knee if anything should happen to him, and she supported his wish.

Asked if she supported the American Indian Movement even after the death of her son, she replied, "I'm with them all the way now."

When Lamont was killed, some of his relatives inside Wounded Knee requested — and obtained — FBI permission to accompany the body as it left the site. However, as soon as the five women and two men reached the roadblocks, they were taken into custody — and also nabbed was a two-month old baby of one of the women. Later, the baby was taken out of the Pine Ridge BIA jail by his grandmother, Mrs. Cheyenne Nichols.

Bernie Nichols Iron Cloud, a niece of Lamont's, said she and her husband, Roger, were with Lamont when he died instantly about 1:15 p.m. She said he was not armed at the time. Witnesses said that he was shot in the back by BIA police.

The relatives said Lamont was not a member of the American Indian Movement. "Lawrence," they said, "told us he was going down there to fight for his people's rights." They added that "last week, Lawrence knew he was going to die. He said then he wanted to be buried at Wounded Knee."



Relatives mourn loss of Lawrence Lamont

One woman, Lawrence's sister, said that after her arrest, she had asked to phone their mother so that she would learn of the death in that way, rather than by hearing it over the radio. She said that she was refused by a policeman who said she "could not" before he would let her use the phone.

"Lawrence had just received his Vietnam bonus check," one relative said. "He never had the chance to spend it." Lamont had been employed by the tribal council, but after he signed a petition calling for the impeachment of Dick Wilson, he was fired from the job.

In Los Angeles, Russell Means was arrested by the FBI on a bench warrant issued by Judge Andrew Bogue in Rapid City. His \$25,000 bond was revoked.

Means said he would be arrested and had made no effort to hide. He had just held a news conference at the American Indian Center in Los Angeles. He had been notified a few hours earlier that his bond had been revoked on a technicality. Means said that the reason for the court's action was because of remarks he had made to the press in Oklahoma. He said that he had intended to go back to South Dakota to prevent revocation of his bond, but there were no reservations available on commercial airlines.

Means also said he had talked with Marlon Brando, the actor who has had a long record of assistance to Indian causes. He said that Brando had promised assistance in future legal proceedings.

In the actual court hearing in South Dakota, attorney Mark Lanem made strenuous objections to Judge Bogue's decision. He said that the hearing should be postponed a day until Means could be there, and that there were no flights into Rapid City.

"It is the court's opinion," said Judge Bogue, "that there are adequate airline facilities to get him to Rapid City. In the absence of proof that there were no flights available, the court must assume he does not wish to be here."

Assistant U.S. attorney Ed Carpenter contended that Means violated the conditions of his bond by appearing in Tulsa, Oklahoma, at a time when his itinerary called for him to be in the New York offices of attorney William Kunstler. One of the conditions of bond was that such an itinerary would be filed with federal officials. He called Rapid City FBI agent James W. Dick to the stand to testify regarding Means' whereabouts during the period of April 18-25.

Over continuing objections by Lane, Dick testified that Means had made statements regarding a military takeover of western South Dakota in Cleveland on April 20 and in Tulsa on April 22.

Lane told Judge Bogue the admission of Dick's testimony constituted hearsay, and was "an abomination in federal court procedure. In my 25 years of practice, this is my most frustrating hour in court," he said.

Judge Bogue replied that "this court has been frustrated for 50-some days" and proceeded with the case, although Lane moved that Bogue disqualify himself from the hearing.

The reason given for the revocation was not the problem over travel itinerary, but a minor legal technicality. Bogue told attorneys that Means was arraigned on two separate occasions and Rapid City businessman Stanford Adelstein had provided the cash security after the first arraignment. He said that Adelstein's written approval for the bond to cover charges filed in the second arraignment had not been filed with him, as required.

Pedro Bissonette, vice-chairman of the Oglala Civil Rights Organization, and regarded as a leader of the take-over, was arrested in Rapid City today by the FBI.

That meant that the movement was operating on its own steam, since four of the six men whom the U.S. had blamed for engineering the occupation were now out of the village. Only Dennis Banks and Carter Camp remained inside.

Bissonette appeared before U.S. Magistrate James Wilson for a bail bond hearing, but the request was denied. He had an earlier court date in March, and being inside Wounded Knee, he did not appear.

Leonard Crow Dog was back inside, however, where he is acting as spiritual adviser. He sent word to the U.S. that the occupation group would not negotiate with the Justice Department until the first victim of the battle over Wounded Knee — Frank Clearwater — was buried in the village.

Dick Wilson, who said he was speaking for the tribal council (which has not had a quorum since many of its members resigned over a month ago) said it had been ruled that Clearwater's body would not be allowed in the village.

The Bureau of Indian Affairs was busy covering its legal tracks concerning the blockade of U.S. Highway 18 to stop a march of 100 persons coming from Rosebud. Tom Oxendine announced that the tribal council had assumed jurisdiction over all residents of Bennett County. Agency superintendent Stanley Lyman said area solicitor Wally Dunker of Aberdeen, South Dakota, had issued an opinion indicating that the BIA and tribal council had such jurisdiction.

That is likely to bring a sharp reaction from the state and local governments, since they too claim jurisdiction. While the area has long been in dispute, Oglalas have never been able to get the Bureau of Indian Affairs to support their claim, and the land gradually fell into white hands. It is ironic that it has taken Wounded Knee to force the U.S. into taking actions that now force them to back long-standing Oglala claims.



Wilson's hard-nosed attitude, although partly bravado, is also revealing. "How many casualties would you have if your men retook the village?" a reporter asked him. "Everyone in Wounded Knee," he replied blandly.

One of the persons in a U.S. bunker during the exchange of fire was Gerald Gereau, a staff member of the Senate Interior and Insular Affairs Committee chaired by Senator Henry Jackson, a Washington Democrat.

Gereau said he had been at Pine Ridge for most of the week to investigate the possibility of holding Senate hearings at the village of Pine Ridge. He also had tapes of the battle, which he said he was delivering to Senator Jackson.

There has been some jockeying for position in the Senate to see who can exploit the Wounded Knee hearings into political ammunition which can work for re-election or for presidential political fodder. Senator James Abourezk, a South Dakota Democrat, for instance, is the chairman of the Indian Affairs sub-committee, the logical forum for hearings. However sympathetic he might be to Indian matters, he is elected to office by white South Dakota citizens, and therefore he must do his thing for Indians now, four or five years away from his campaign for re-election.

Senator Ted Kennedy also has promised hearings through his Administrative Practices Committee, but he has indicated that he would be satisfied if good hearings are held by Abourezk — and that would also fit in better with his present low-key profile which may eventually escalate toward 1976 presidential campaigns.

But all this jockeying has been upset by Senator Jackson, who also would be a 1976 presidential candidate. Without consulting with Abourezk, he has decided to schedule hearings of the full committee on Wounded Knee, possibly to take advantage of the publicity. Indians in Washington State have never been particularly fond of Jackson, and most native people feel that Abourezk's hearings would be more likely to get at the truth of the matter than would Jackson's.

"GEORGE, YOU BETTER DO SOMETHING ABOUT THOSE DAMN INDIANS"

— A WHITE RANCHER SPEAKING TO SENATOR McGOVERN

Saturday, April 28, 1973

For the first time since the abortive April 5 "peace" settlement, negotiations between the Oglalas and the United States resumed late today. Dennis Banks, an AIM advisor to the Oglalas, and Leonard Crow Dog, a Lakotah spiritual leader, met for nearly two hours with Ken Frizzell, now solicitor for the Department of the Interior — and the man who had signed for the U.S. in the April 5 treaty.

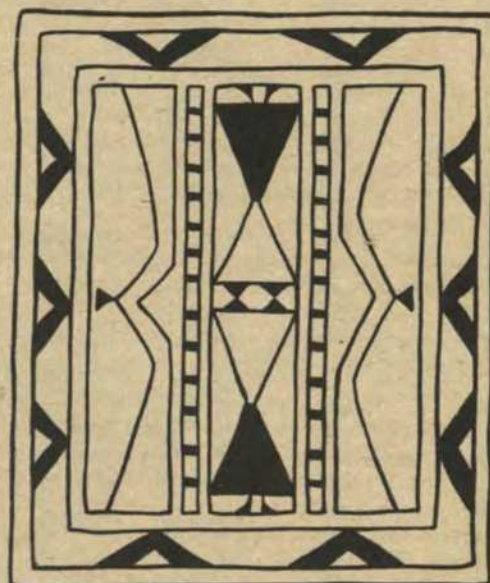
The meeting was held in the demilitarized zone between the two sets of roadblocks. "I think we've got negotiations started again," Frizzell commented, although it had been the U.S. which had been refusing to come to the table. The U.S. position was that it had not wanted to "waste time", and it had demanded that the Oglalas prepare a "satisfactory agenda."

One of the topics discussed was a splitting of negotiations into two separate groups. Frizzell would speak for the U.S. and would meet with Oglalas to discuss "social issues", and Banks and Crow Dog would meet with deputy assistant attorney general Richard Hellstern and U.S. chief marshal Wayne Colburn to discuss the laying down of arms.

Another topic which was discussed was a continuation of the ceasefire that began Friday afternoon with the death of Lawrence Lamont, an Oglala inside Wounded Knee. Frizzell said he had "requested" that federal officers honor the ceasefire and that he "anticipated" that the occupants of the village would do likewise. "We both agreed that each hour this siege continues, there is a chance of more loss of life," Frizzell said. "I detected a willingness on their part to avoid this."

Frizzell's statements might lead one to believe that it was the Oglalas who are the aggressors in the siege, but massive firing has generally come from the U.S. side of the barricades. His "request" to federal officers also indicated that the U.S. lawmen at the site have been increasingly difficult to control, and have not always honored the positions which the attorneys have negotiated for the U.S.

The controversy over where Frank Clearwater was to be buried was also growing. A landowner at Wounded Knee had given permission for the body to be placed back into the earth on his land — but tribal council chairman Richard Wilson was adamant that a "restraining order" issued by the tribal court to Clearwater's widow be enforced. It prohibited her from bringing the body onto the reservation.



Sunday, April 29, 1973

The Wounded Knee trading post burned to the ground this evening, destroying the main barracks for the occupiers of the village. The fire apparently started when a child knocked over a kerosene lantern. There was no water available to fight the fire, and the structure burned until it was completely destroyed. Several smaller buildings nearby also burned, although the museum next to it was not damaged.

Newsman asked Stanley Lyman, BIA agency superintendent, if firemen had been sent to the blaze. "Are you kidding?" Lyman responded.

Electricity into the village was shot out by vigilantes, making water supply — even for drinking — difficult. The village had been occupied mostly by non-Indians, or Indians in government-style housing, which meant a high reliance upon electricity, fuel oil, and propane for the essentials of life.

Sniper fire is now sporadic and continual. "In the early morning, there is a shift change of the FBI crew on the western perimeter," one of the security men inside the village explained. "The new crew is fresh and gung-ho, and they want to get it on with the Indians. So what they do is send a couple of snipers down the side of the hill toward our perimeter, 200 yards from their bunker which is two armored personnel carriers in an entrenched bunker."

There were no negotiations today because chief negotiator Kent Frizzell was caught up in the growing controversy over the burial of Frank Clearwater.

But Frizzell did tell newsmen that "the clocks are running short, time is running out." He warned that "if a negotiated settlement is not reached in the immediate days ahead, the Government will be left with no other choice but to take the position that the occupants are not really interested in a negotiated or peaceful settlement. One that takes place, I think the government will be required to take a look at the harder choices."

In preparation for a possible assault on the village, the Justice Department had been bringing in extra U.S. marshals all week. At one point, chief marshal Wayne Coburn said he had 180 men on duty, but he now was refusing to say just how many extra men had checked in.

An Army helicopter was now on hand, ready to be used in a drop of gas onto the village if the Government decides to move in. Extra supplies of ammunition, gas, and equipment were flown into Pine Ridge from Fort Ord, Washington, and from Quantico, Virginia, during the week.

Word was leaked out that the government's plan was to drop leaflets urging all non-combatants to leave Wounded Knee, and setting a time when the assault would begin. Then, the armored helicopter would spread tear gas and smoke over the area to pave the way for the tanks and armored personnel carriers to move in.

The tribal council said it would use force if necessary to prevent the funeral cortege from coming onto the Pine



Ridge reservation — and the U.S. said that it would be glad to help the BIA police if they were requested to do so.

Oglalas at Rapid City said that the burial party would leave Rapid City for Wounded Knee today, but they agreed to delay their plans for 24 hours while mediators from the Community Relations Service tried to resolve the impasse.

Frizzell was trying to get a compromise out of the tribal council chairman, Dick Wilson, in which a wake would be held on the reservation, but that the actual funeral and burial would be at Crow Dog's Paradise on the Rosebud Reservation. Hundreds of people were gathering in Rapid City to take part in the funeral procession.

George McGovern had also come to Rapid City, but not to participate in the funeral. The South Dakota Democratic Senator was stumping hard for re-election in 1974, an uphill battle because South Dakotans felt their senator had become a radical because of his stands during the last presidential campaigns.

"George, you better do something about those damn Indians, or a bunch of us are going to fly over and drop some dynamite on them," a gnarled old rancher told McGovern as they met on a Rapid City street. "The matter is in the hands of the Justice Department," McGovern said, diplomatically passing the buck.

Things were quiet around Wounded Knee. There was only a single shot, and it was followed by a radioed apology by U.S. officials.

Wounded Knee II was in its 63rd day.

IF ONLY THE INDIANS WOULD START ACTING LIKE...INDIANS

(This commentary is extracted from a longer article by Michael Sneed-Long, and we are grateful to him and to the Chicago Tribune Magazine, in which it was published April 15, 1973.)

The press was fighting its own battles at Wounded Knee.

Prevented from entering the besieged village by federal marshals manning barricades, rooted from the woods by patrolling vigilantes, and stymied by damaged public telephones, many reporters, photographers, and television crewmen were forced to hike cross-country to reach the hamlet.



"Gad," said the journalist from the London Sunday Times, shaking creek water from his well-tailored Savoy twill suit. He had fallen in waist deep. Hours before, he had rolled up his pants cuffs in Pine Ridge, and begun jogging to the encampment 18 miles away.

Colin Smith of the London Observer was upset with the Indian's modern parlance. "If only someone would say, 'When the moon comes over the mountain and the leaves fall off the trees on the night when the cherries turn red, we will attack the long rifles.' All I hear is, 'Yeah, man — cool it... and we will study this procedural matter later tonight.'"

Christopher Hallan Milvton-Drake, also known as Chris Drake, a BBC radio reporter, balked at trudging thru the countryside. "I just can't get excited about this story. The town restaurant is run by a gypsy from Chicago, the hostages turn out to be non-hostages, the tribal chief is the grandson of an Englishman, and the militant Indians take steam baths in a teepee before retiring. Now I ask you, is this real, or is this reel?"

... He dropped me off between two barricades, and I sprinted to the woods several hundred yards away. After hiking two miles, I spotted a herd of cattle [and] walked with them to the outskirts of [Wounded Knee]...

As I climbed the hill toward the church, a young Indian with long braids and a white-feathered hat came toward me. He was listening to what I took to be a walkie-talkie. The antenna shot higher than his eagle feather. I greeted him, prepared for an interrogation. He passed me by. Carly Simon was singing "You're So Vain" on his transistor radio.

The long grave filled with Big Foot's people was strewn with plastic red and pink flowers. The marble tombstone, only a few yards from the church, was barely readable...

Red, yellow, black and green

Everyone was grateful when it began to snow. Gunshots cracked thru the night like a giant pinball machine, and Russell Means ordered all the lights shut off.

Means sat across from the trading post in a large trailer, where the only telephone in town was located. Newsmen stood in line to turn in first person accounts of their bravery. The rest of the evening was spent watching the late news on the color TV and listening to the two-way radio tuned into the federal barricades...

While the marshals shivered in the prairie snow, the Pine Ridge people complained about the soda truck that hadn't come for five days. AIM Indians played Indian, Russell Means read [G.I. Combat] comic books, and the vigilantes slashed the tires of reporters' cars littering the woods. I decided there was only one thing to do. Go to sleep.



**"WE DECIDED THAT OUR INDIAN PEOPLE
ARE MORE IMPORTANT TO US THAN
LONG JAIL TERMS." ————— CARTER CAMP, WOUNDED KNEE 1973**

(We are grateful to Bruce Carter for the woodcut on which this poster is based. This poster is one of a series of 13 published by AKWESASNE NOTES. Reprints on heavy poster paper of this poster, or any in the set, are available from AKWESASNE NOTES, Mohawk Nation, via Roosevelttown, N.Y. 13683. They cost 50 cents each, or 3 for \$1, postpaid. Add 50 cents if mailing tube is desired for shipment.)

Last Chance For Negotiations

Monday, April 30, 1973

Three Oglala senior statesmen — Frank Fools Crow, Frank Kills Enemy, and Tom Bad Cob, and interpreter Matthew King — were allowed by the United States to pass its blockades to spend several hours talking with their people and the AIM advisors inside Wounded Knee. It was believed that they would carry the word given them yesterday by the United States — this was to be the last chance for negotiations before the U.S. would muster a move in by force.



"I allowed the meeting to occur because I felt it might be a catalyst to future negotiations," said Interior Department Solicitor Kent Frizzell.

Preparations were also being made for the burial of the two men slain in the siege. A compromise which Frizzell had negotiated was in effect: the body of Frank Clearwater was permitted by tribal council chairman Richard Wilson to be taken to Fools Crow's home for a one-day wake, but with the stipulation that the burial must take place off the reservation.

Leonard Crow Dog, a Lakotah spiritual leader from the next-door Rosebud Reservation, had said Clearwater could be buried in a family plot on his land, but Rosebud tribal council people had indicated that they might not permit this to happen.

The caravan accompanying Clearwater's body was met before it reached Fools Crow's home by Bureau of Indian Affairs policemen, who searched all the vehicles and arrested two persons for carrying rifles — although the guns were perfectly legal. Only six cars were allowed to enter the reservation, and fourteen others were turned back.

Delmar Eastman, a BIA policeman, said everyone who was not a resident of the reservation, not a member of the family, or not an enrolled Oglala were turned back. Police then escorted the casket to a white canvas tipi at Fools Crow's.

Tuesday, May 1, 1973

The United States imposed a news blackout on the negotiations at Wounded Knee. The American people were not to be told of a build-up in arms, on the status of talks, nor other details of the occupation, officials decided. And the Oglalas couldn't talk — newsmen were banned from entering the village.

The possibility of serious escalation of the confrontation wasn't denied by the U.S. When asked about a rumor that federal forces would storm the village if there were no agreement by Friday, a U.S. spokesman said the rumor "might be true." Deputy assistant attorney general Richard Hellstern told newsmen the U.S. "we are not going to entertain any questions on negotiations."

The last talks were held Saturday. Since then, the government has been pre-occupied with mounting pressure of events outside of Wounded Knee, but on the Pine Ridge reservation.

The caravan bearing the body of Frank Clearwater, who had died from Wounded Knee gunfire, reached the Rosebud Reservation, and burial was held today.

The funeral procession was stopped by a BIA police car at Rosebud, but Vern Bellecourt, national coordinator for AIM, seized the wheel of the hearse and the procession swept past the police car to land owned by the Crow Dog family. The tribal council had been prepared to ban the burial, and then reversed itself.

A chief opponent of the burial was Webster Two Hawk, an Episcopal clergyman and tribal council chairman at Rosebud. He has been an opponent of the Wounded Knee takeover, and as president of the vice president

The mourners gathered off the muddy road in the small cluster of frame and log buildings. The coffin lay covered by an Indian blanket. A short distance away, about 50 mourners sat in rows of folding chairs inside a log cabin. Women served a meal of fry bread, hot cherry soup, and beef stew. Fools Crow had tried to get a buffalo for the wake, but government custodians said they could not provide one.

Yesterday, the site had been the place for a meeting with the Oglala elders and Kent Frizzell. He told them he was under pressure from "hard liners" in Washington to bring the Wounded Knee occupation to an end.

Many of the men who were involved in Washington decision making had been involved in the Watergate scandal. John Ehrlichman, Richard Kleindeinst, Patrick Gray all had a bearing in decision-making before their resignations.

Frizzell said the tribal council chairman had agreed to let Lawrence LaMont, an Oglala, be buried at Wounded Knee. He said a limited number of family members — 8 or 10 persons — would be allowed to accompany the body into the village with the proviso that they return after the burial is completed.

Commenting on reports that village occupants were low on food, Frizzell said that "if our intelligence [reports] shows that they are to the point where they can't sustain life down there, we may consider sending in food."

Meanwhile, U.S. marshals were discussing what to do with Russell Means, who was taken into custody while he was in Los Angeles shortly before he was to address students at the University of California. His bond had been revoked because of statements he had made about U.S. treaty violations. The marshals decided to recommend that he be held at the South Dakota Penitentiary in Sioux Falls, or at facilities in Minneapolis, Minnesota, rather than in western South Dakota.

Also, federal agents all over the U.S. were continuing to round up anyone who appeared to be aiding the cause at Wounded Knee. Nineteen persons had been arrested in Valentine, Nebraska, last Saturday. Others were arrested in Cheyenne, Wyoming, at the same time, all charged with violating federal anti-riot laws.

of the U.S.' National Tribal Chairmen's Association, frequently has backed U.S. policies.

When, for a time, the Crow Dog property might be blocked, Al Running Horse of Rosebud offered his land. Two Hawk argued that burial should be at a cemetery, and off the reservation. At one point in the verbal encounter, Two Hawk told several members of the burial party, "Go home. You are on our land."

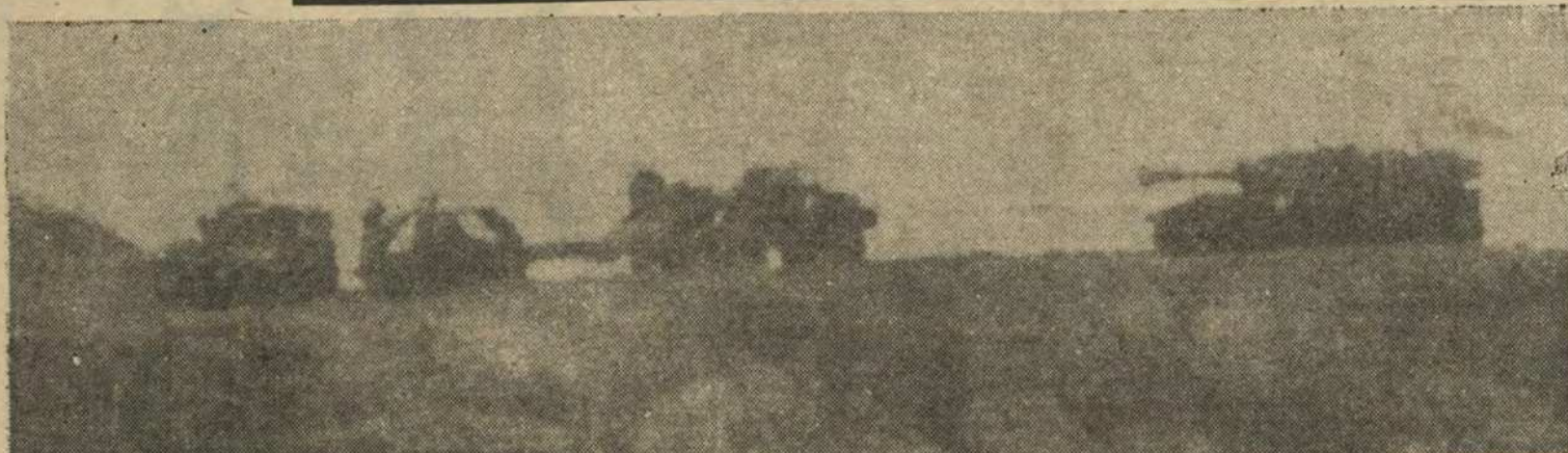
Russell Means was transferred today from Los Angeles, California, to the Minnehaha County Jail at Sioux Falls, South Dakota.

In addition to being in custody because a district court judge had revoked his bond, Means was indicted today along with four others on a charge of conspiring to illegally transport arms to Wounded Knee and to cross state lines with intent to incite a riot.

Attorney General (at the time) Richard G. Kleindienst said a single-count indictment was returned in Federal District Court in Phoenix, Arizona, where Herb Powless of Milwaukee was arrested earlier. Kleindienst told Phoenix businessmen at a meeting that the indictments would be used for "bargaining power."

Also indicted were Stan Holder, 23, of Lawton, Oklahoma; Eugene Charles Heavy Runner, Jr., 23, of Browning, Montana, and Ronald Daniel Petite, 37, of Minneapolis. The indictment charged them with conspiring from April 11 to April 25 to transport an unspecified quantity of firearms from Phoenix to Wounded Knee, knowing they "would be used unlawfully in furtherance of a civil disorder."

Inside Wounded Knee, the occupation force was busy fortifying bunkers and preparing for the attack that seemed to be more and more imminent each day.



—AP
The military solution to the grievances expressed at Wounded Knee... note the tank with large mounted weapon (just left) along with armored personnel carriers.

Strange?? The Same People That We're Dealing With In Washington Are The Same Ones That Are Involved In The Corruption Of Watergate.



Wednesday, May 2, 1973

U.S. negotiators were inside Wounded Knee today, but no information was released on what was discussed.

John Sayre, Interior Department spokesman, said only that U.S. marshals report that the occupation force is working on a network of tunnels, probably as a protection system against attack by gas.

Gerald Gereau, a staffmember of the Interior Committee of the U.S. Senate, said that while he was visiting at Pine Ridge recently, federal agents were discussing the use of CS tear gas, a type which causes severe stomach cramps, nausea, as well as tears — and in fact, it had already been used, according to those inside the village.

Gereau said he had talked with South Dakota Senator James Abourezk, who heads the Indian Affairs subcommittee in the Senate, about the possibility of providing houses for those who lost homes inside Wounded Knee. Many homes have been shot out, gutted by fire, and otherwise rendered unusable in the siege by U.S. officials.

Three rotianer of the Iroquois Confederacy travelled to Washington, D.C., today, to do what they could to head off a shoot-out at Wounded Knee. Oren Lyons and Irving Powless, Jr., of Onondaga Nation, and Jim Leaf of Cayuga, met with senators, congressmen, and tried to meet with White House officials "to stop the U.S. from killing Indians."

Lyons said that Green Berets were at Wounded Knee, masquerading as federal marshals, and that Marines from Quantico and the 82nd Airborne Division were prepared to participate in a final assault.

Federal negotiator Richard Hellstern was busy trying to discredit what he called "AIM's public relations tactics" charging that the occupation force was dishonoring their own dead by delaying the funeral of Frank Clearwater. Rosebud BIA police chief Louis White said that the burial party wouldn't talk to them, and they could not confirm that Clearwater had been buried. Hellstern said the public should be made aware of how AIM "has used the deceased as a public relations show. It is most disrespectful to the deceased himself. It is not the normal way you deal with death in normal Indian society."

Hellstern did not point out that Clearwater had lost his life from wounds he received from U.S. guns as he lay sleeping in a chapel inside the village.

In Boston, Larry Levin, 25, surrendered to the FBI in response to a warrant issued with the airlift of food and medical supplies into Wounded Knee April 17.

Vern Bellecourt, speaking in Chicago, warned of an impending massacre in Wounded Knee, and charged the U.S. of duplicity in its dealings. "Strange as it may sound, the same people that we're dealing with in Washington are the same ones that are involved in the corruption of Watergate."



Friday, May 3, 1973

The traditional Oglala leaders, headed by Frank Fools Crow, said today that a tentative agreement had been reached to settle the occupation of Wounded Knee. They said that approval of the agreement was expected from Washington before tomorrow.

A government spokesman denied the report, and said that it was not true, and that rumors that federal agents planned to clear the village this weekend were also not true.

The chiefs said that a treaty commission meeting would be held at Fools Crow's camp the third week of May. It called for the withdrawal of FBI and other federal officials, excepting that the BIA police would be abolished and replaced by federal marshals.

"We cannot over-emphasize the joys and sharp relief which swept Fools Crow's camp last evening when a delegation of chiefs returned from Wounded Knee," the elders said in a prepared statement. "All persons present offered prayers of relief that the armed confrontation had come to an end without further casualties."

The elders said that the Oglalas inside Wounded Knee had turned the negotiations over to them, and that they had been frequently involved in advisory roles earlier in the occupation.

"There is still great sorrow among all the Indians at the loss of brothers Clearwater and Lamont who have unselfishly made the supreme sacrifice in a quest for recognition and rightful sovereignty," the leaders said in their statement. "It is tragic that men have to make this sort of sacrifice to recognize inequities allowed to exist in this so-called civilized society."

A spokesman for the traditional group said that the traditional chiefs and their followers are still being harassed by reservation police being paid by the BIA, but actually working for tribal chairman Richard Wilson. He charged that "The only thing that has been holding up negotiations is Wilson."

Kent Frizzell, Interior Department solicitor and the top U.S. negotiator, learned of the harassment first hand. He had been meeting with the elders at Fools Crow's camp as police were taking down license numbers of all cars at the meeting. Then the police would follow and arrest everyone as they drove away. As Frizzell left the scene, he was not recognized, and he too was stopped by the police.



The increased tempo of rumors that the village would be invaded by the U.S. had caused negotiator Richard Hellstern to abandon the news blackout. He told newsmen there was little reason for optimism that a settlement was near.

"The talks were friendly, frank, and non-productive, in the sense that nothing tangible was agreed upon," Hellstern told the press. Hellstern said that AIM leaders Dennis Banks and Carter Camp were among those who represented the Wounded Knee forces. "The question of which weapons are legal and which illegal has been a tacky question," Hellstern said. The Oglalas had said they were willing only to lay down "illegal weapons."

Hellstern said the policy of denying the American people the benefit of press reports from the Oglalas inside the village "was very useful to us."

"The [Indians] there miss the press more than food," Hellstern said. "And I want to keep them in a state of missing something."

Hellstern also reported that there was an impasse over the question of the burial of Lawrence Lamont. They wanted a full and open funeral before there would be any abandonment of the village, but the U.S. position was that only eight to ten close relatives could attend. It was Hellstern who only yesterday had accused the Oglalas of "dishonoring the dead."

Five men and one woman were arrested during the night as they backpacked food and medical supplies into Wounded Knee. The arrests raised to over 300 the number of persons who had been arrested in the supply effort over the "Crazy Horse Trail."



One of the main demands made at the outset of the occupation of Wounded Knee was that the tribal constitution should be suspended — and a petition of a sufficiently-legal number of Oglalas was submitted to the Interior Department more than a month ago to accomplish just that. However, neither the demand nor the petition has been acted on.

Indications are that the "new nation" might have three levels of government: *Tiospaye Cikala* (communities within each district to handle local matters), *Tiospaye* (district councils), and *Oyate Omniciye* (a people's council.)

Each community would decide on its own governmental structure. The seven districts within the nation would select their own chairman, or headman. These seven headmen would form the governing body for the nation, and the leadership of the council might rotate among the seven members. The executive departments (such as housing, social services, etc.) would function under the people's council. The present judicial system would be abandoned, and a new code of offenses would be adopted. Headquarters would be moved from Pine Ridge to some central location, and Pine Ridge might be left to its own municipal government.

An information sheet on the proposal said, "To the best of our abilities, we have attempted to draft this document in such a manner that it would in effect provide a form of government with built-in balances, with the ultimate power where it should be — with the people."

The National Council of Churches has asked the United States to permit the shipment of food and medicine, at the expense of the council, into Wounded Knee once each week. It also offered to assist in insuring the appearance in court of any persons arrested so that bail would not be required, or would be very small.

The council said it was "concerned but nonpartisan." The churchmen said they were afraid that the Justice Department might be "running out of patience, and might resort to violence."

And in Rapid City, the Custer, South Dakota, man charged in the stabbing death of Wesley Bad Heart Bull which touched off the protests which eventually found their way to Wounded Knee, was found not guilty of second degree manslaughter.

A Custer County Circuit Court jury of eight men and four women — none of them Indian persons — took 1½ hours of deliberation before returning the verdict for Darld Schmitz, 30, a white man who had contended during the three-day trial that he had stabbed Bad Heart Bull in self-defense.

The protests in Custer, which resulted in the burning of the chamber of commerce and part of the Courthouse, were cooled off partly by the promise that AIM attorney Ramon Roubideaux would conduct a special investigation. Roubideaux charged that the trial had proceeded without notice to him, and just before the investigation had been completed.

In his opening statement, assistant state attorney general Walter Andre told the jurors that the defendant wilfully caused the death of Bad Heart Bull by stabbing him in the chest with a pocket knife. Defense attorney Joe Butler agreed with the cause of death, but told the jury the defendant acted in self-defense.

The night of the killing, there had been several fights between members of an Indian faction and a white faction at a bar in Buffalo Gap, South Dakota.

Testimony was given that Bad Heart Bull was battling with James "Mad Dog" Gerry. Bad Heart Bull was using a logging chain as a weapon, and when Schmitz and several other companions came to the aid of Gerry, the stabbing occurred when Schmitz, knife in hand, ordered Bad Heart Bull to drop the chain.

Other witnesses said the fight had started when "Mad Dog" came over to the car where Bad Heart Bull was sitting, and said he could whip any Indian in the car. Some said that Schmitz had stabbed Bad Heart Bull without warning.

The three-day trial was held in the Pennington County courthouse in Rapid City under tight security. Throughout, the character of the deceased man was under far greater scrutiny than the character of the accused.

"AN OVERT ACT OF GOOD FAITH"



Friday, May 4, 1973

The United States today virtually confirmed the situation reported earlier by the Oglala Nation's elders — although it pretended that the idea was its own. Kent Frizzell termed it as a "good faith overture."

Frizzell, the solicitor for the Interior Department and a former assistant attorney general, said a letter was being delivered to Teton "chiefs and head men" from Leonard Garment, special consultant to President of the U.S. Richard Nixon. (Garment was later promoted to the position of special counsel to Nixon after the firing of John Dean in the Watergate scandal.)

The letter, Frizzell said, indicates that the White House is willing to send at least five representatives to meet with the Oglala elders the third week of May — providing that the village is disarmed by May 11.

"It was determined that before we could accomplish anything on disarmament of the village," Frizzell said, "an overt good faith act by the [U.S.] government might be necessary." It was the good faith act of having Garment meet with an Oglala delegation at the White House that was sought by Russell Means last April 5 — a meeting which Garment refused to hold.

The current proposal is a slight revision of a portion of the April 5 agreement. Instead of the White House, however, the meeting will now be held in the home of Frank Fools Crow, an elder, on the Pine Ridge Reservation. The meeting would involve problems in the 1868 treaty, and would set the stage for further negotiations. Of great significance is that the session will be held with Fools Crow, who would be an official of the Oglala Nation which signed the treaty, rather than with Dick Wilson, the chairman of the tribal council which was installed by the United States in 1935.

Frizzell took pains to say that the May 11 date was not a deadline or ultimatum, but that continued armed occupation of the village after that time would delay the meeting with the White House people.

About fifty persons attended a funeral mass this afternoon for Lawrence LaMont, 31, killed when he was struck by U.S. bullets during a heavy exchange of gunfire last week. The service was held at Porcupine, eight miles north of Wounded Knee. He will eventually be buried at Wounded Knee.

The Rev. Paul Steinmetz presided at the Roman Catholic ceremony before a flag-draped coffin. Lamont was a Vietnam veteran.

After the service, Mrs. Lamont, Lawrence's mother, was told by federal officials that an open burial at Wounded Knee would not be permitted, open to all mourners. Instead, only 6 to 10 "close family members" would be permitted to attend. Mrs. Lamont said she had scheduled the burial for tomorrow afternoon, and that she would have further talks with U.S. officials.

In the United Nations today, a group of Iroquois Confederacy leaders submitted a petition calling for "the removal of the United States Armed Forces from Wounded Knee" and action to permit food, medical help, water, and fuel to be sent to the settlement.

A five-member CBS crew was evicted from the reservation after they slipped past federal barricades and got

into Wounded Knee. When they came out today, the tribal council chairman had a restraining order served on them, and Richard Hellstern of the Justice Department said that no one from CBS would be issued press credentials to participate in media action during the remainder of the confrontation.

Served with eviction orders were correspondent Jeff Williams; producer Bill O'Connor, soundman Ron Heard; cameraman Art Levy, and light man David Adamson. The press has been barred from the village for some weeks now, so CBS would not be particularly hurt by the lack of credentials.

The FBI at first seized 1300 feet of CBS film, exposing some of it. Later, the film was returned as BIA police escorted the crew to its chartered Lear jet plane at a nearby airfield.

Also arrested today were three more of the occupation force as they attempted to re-enter Wounded Knee. Included was Stan Holder, the security chief of AIM, who had been arrested previously, and was out on bail. They had travelled cross-country despite the danger from wandering sharpshooters.

In another development, U.S. District Court Judge set a new bond of \$125,000 for AIM coordinator Russell Means. Means is now charged with 13 felony counts stemming from the occupation and takeover of Wounded Knee.

Means felt he could raise the money from supporters of Wounded Knee, and told New York lawyer William Kunstler: "Let's make some phone calls." Among those Kunstler said Means was attempting to reach was movie actor Marlon Brando, who has long been active in the support of Indian causes.

Judge Nichol said he disapproved of the \$25,000 bond set by Judge Andrew Bogue in Rapid City. "These are very serious charges," Nichol said.

Kunstler urged the judge to understand that the charges against Means were politically motivated. "This is an attempt to use the courts to end the impasse at Wounded Knee," he said. "This is a struggle of rather cosmic proportions that has been engaging the attention of the world and the United States."

The occupation was now in its 66 day.

White House Offer Received By Frank Fools Crow

Saturday, May 5, 1973

A ceremonial presentation of the offer of a meeting from the White House happened here today under the most unusual of circumstances.

The letter was written by Leonard Garment, special counsel to U.S. President Richard Nixon. It was carried by Hank Adams, the principal negotiator for the Trail of Broken Treaties, and a veteran of the Washington State fish-ins.

But Adams was under pressures of a previous ruling of tribal council chairman Richard Wilson that he would be arrested if he came onto the Pine Ridge Reservation, so the emissary of the President of the United States had to hand the letter across a barbed wire fence to Frank Fools Crow at scenic, South Dakota, on a sacred mesa 50 miles north of Pine Ridge.

About one hundred persons were present to witness the ceremony. Fools Crow, a traditional Oglala chief, wore buckskins and a headdress of white, black, and red tipped feathers.

Adams told those gathered at the site, "The Sioux people have to give meaning to this letter, which may recreate hope for all Indian people. I see your people still hurt, still suffer, still have too little hope."

Fools Crow said he would deliver the offer to those in the village.

"The people in Wounded Knee respect me and they will lay down their weapons if I command them to," the elderly leader said.

The letter was regarding the same offer Fools Crow had negotiated earlier: there would be a meeting with five White House representatives the third week in May to discuss treaty issues with the Oglala Nation, and the oc-



—Associated Press photo
Fools Crow (left) and Hank Adams (right) . . .
a message from the White House

cupiers of Wounded Knee would leave the village by May 11, with those for whom warrants are outstanding submitting to arrest.

Dick Wilson was not a part of these doings. In fact, he scoffed at the whole deal. "My people recognize that Fools Crow is zero. And Bad Cob (another traditional leader) is double zero."

Inside Wounded Knee, there were no gunshots for the last 24 hours, a continuation of the cease-fire in effect since April 27 when Lawrence Lamont became the second member of the occupation force to die of gunfire. The weather was good — warm spring sunshine seemed to bring hope.

Through some sort of duplicity, the U.S. Government announced that the petition to dissolve the Oglala Tribal Council constitution had failed to gather enough signatures. Kent Frizzell, solicitor for the Interior Department, said that the petition which was filed in mid-April carried 1,460 signatures, which he said was 1,395 short of the required 30 percent of the 9,518 eligible voters. This mathematics astounded the Oglalas, for earlier it had been announced that there were less than 3,000 eligible voters. And to have 9,518 persons over 21 on a reservation of less than 11,000 persons was impossible.

In Phoenix, Arizona, LaDonna Harris said in an interview that the occupation of Wounded Knee showed the refusal of Indians to accept "their situation and treatment in today's society."

She said that Indian leaders have been emphasizing self-identity, image building, and self-confidence in their communities. "With the new self-image, they find themselves unable to accept the situation and now we have an open confrontation." She said she opposed guns and violence, "but I'm for confrontation if its non-violent and makes a point."

Ms. Harris, the president of Americans for Indian Opportunity, an organization which aids Indian groups to find the funding necessary to carry on their work, said she was concerned about the banning of news coverage from Wounded Knee.

"If the press had not been there [at the beginning of the occupation], I think there would have been an attack [by law enforcement officers,]" Ms. Harris said.



The American Indian Community House in New York City, in cooperation with the New School, sponsored a rally for the American Indian Movement and the occupation of Wounded Knee. At left, Richard Mitchell of Akwesasne and others listen to the speakers. At right, Angela Davis of California, speaks, while Mad Bear of Tuscarora Nation (sitting) listens. At the event, the president of the New School returned to the Oglalas a sacred pipe which had somehow come into the school's possession years ago. (Diana Davies/Blackwolf photo.)



U.S And Oglala Forces Reach Disarmament Agreement



U.S. Agrees To Curtail Bombing

(This tongue-in-cheek column is part of one which appeared in the March 15 Oregonian, a Portland, Oregon, newspaper, and is authored by Paul Pintarich.)

Wounded Knee, March 15 1976: *Negotiations continued here today between the Sioux Nation and the United States, which for the past three years have fought to a stalemate in this see saw battle across wind-swept Northern Plains.*

While the U.S. has agreed to curtail for the time being massive B-52 attacks (there are only three planes left) Indians refuse to return some 535 pilots and crewmen still held prisoner. . .

The war which erupted in 1973 following an 80-year cease-fire, has caused violent reactions and sympathy for the Indians throughout the world. Material support has not been acknowledged, though it is rumored the Sioux have received ponies smuggled from the 35th Cossack Division and Chinese frozen dinners have been brought in through Canada. . .

Gen. J. (Duke) Wayne head of the crack 7th Cavalry Division, built to full strength since the Little Big Horn, persists in stalling negotiations. "They don't play fair," Wayne said. "They don't whoop or holler and line up on ridges anymore. What the hell kind of fighting is that?"

Sunday, May 6, 1973

A.I.M. A Tremendous Force

(This is part of an editorial from the Nisawbe News, published at Northern Michigan University, Marquette, Michigan. It is by editor Mike Wright.)

Whether you like them or not, the American Indian Movement is making a profound impact on the lives of all Indian people. You could also add that they are making the same impact into the lives of all Americans.

AIM is able to attract the nation as a whole, once again, and for the first time in this century, to the gut issues facing the Indian people today . . .

AIM is basically a spiritual movement. The Indian people were and are lost only when they "lost" their "way of life" which was totally based on the spiritual rather than the materialistic religion of the white man. AIM will continue to gain strength and growth as it deepens its spiritual commitment.

Since AIM is still comparatively a young movement, it will make its share of mistakes as it matures. . . Its members have to gain a much broader viewpoint. AIM should remember to keep humble, because proud rash, irresponsible actions without caring, loving, or thinking about other Indian peoples will only hurt the movement; further, it will also hurt the Indian people.

. . . Many AIM members are young. They are dedicated. I heard them often call each other brother, and I think they meant it. I can see them in their thirties, if they continue to grow in spirit, love and brotherhood, as being a tremendous force — not only to their Indian peoples, but to the whole world. . .



An agreement for disarmament of both U.S. and Oglala forces, and arrangements for further negotiations, was announced today.

Ramon Roubideaux, attorney for the American Indian Movement, and Richard Hellstern, speaking for the United States, jointly announced the agreement which they said would be effective at 9 a.m. (EDT) on Wednesday. At that time, the government of the U.S. would remove all armored personnel carriers, while occupants of Wounded Knee would lay down their weapons, ammunition and explosives.

The agreement calls for the Oglalas to evacuate their bunkers and assemble at the tipi in the village, and to surrender their arms to personnel of the Community Relations Service of the Justice Department. The weapons would be processed by government officials, and legal weapons would be returned to their owners within 24 hours under the agreement.

The Community Relations Service personnel then would divide the Wounded Knee occupants into three groups — those with outstanding arrest warrants would be taken to Rapid City for legal proceedings, permanent residents of Wounded Knee would return to their homes, and all other occupants will be transported away from the reservation.

Those signing the agreement are Leonard Crow Dog, Frank Kills Enemy, Matthew King, Isaac Brave Eagle, Frank Fools Crow, Eugene White Hawk, Edward White Dress, Gladys Bissonette, Roger Iron Cloud, Francis Messette, and Vern Long.

Dennis Banks and Carter Camp, the only two AIM leaders left within the village, did not sign the agreement. Roubideaux made public a letter from Banks saying:

"I have reviewed the agreement, and find that the document falls outside the protection of the U.S. Constitution. I will submit to the arms laying down because the chiefs and headmen have agreed. Also, AIM's job is done here. It must be understood AIM was called on to aid these Oglalas in their struggle against repressive government forces."

The United States also gave in to another Oglala demand that Lawrence Lamont, who died of U.S. gunfire while he was inside Wounded Knee, be buried in the village. About 35 relatives accompanied the body and an estimated 80 village occupants were in the procession from the tipi chapel across the village to the burial site. The family allegedly had to pay a Nebraska undertaker \$1900 cash before he would release the body to them.

After the occupation ends, the agreement provides for a residual force of U.S. marshals to be at a command post inside Wounded Knee for an unspecified time. A force of up to 40 marshals will be needed for from two to four weeks to assure free access and to keep order.

Each side exchanged warnings about future confrontations of this sort. Hellstern said the U.S. had learned many things from the occupation, and said that the next time the U.S. might not be so patient.

"I feel there will be more Wounded Knees unless the policies of handling Indian Affairs in this country are corrected," Roubideaux said. "I think the government should realize that the type of government on reservations is a failure. Something must be done to replace it."

In a speech yesterday, South Dakota Governor Richard Kneip had been critical of the occupation of Wounded Knee, saying it has had a bad effect in the state and resulted in illegal and violent acts.

Kneip was delivering the commencement address at South Dakota State University, speaking to graduates, many of whom were heirs to the booty from the violated terms of the 1868 treaty with the Oglalas. "The illegal and violent acts were the result of bad leadership and have brought only trouble and grief for both the Indian and the white communities of South Dakota," the governor said.

Kneip also expressed regret that the U.S. officials had not worked more closely with the tribal council chairman, Richard Wilson in what he called a "test for the leadership of the Oglala people"



Russell Means, AIM leader, responded to Kneip's remarks from the Sioux Falls jail where he was being held in lieu of \$125,000 bond.

"... We maintain, according to U.S. law and our treaty rights, that the illegal and violent acts have been committed by the trespassers in South Dakota and these trespassers are white people, not Indians," Means said.

He challenged the governor to a televised debate or discussion, hoping it "will serve to create a better understanding."

"If the governor and the state of South Dakota had taken a more meaningful and just rule from the beginning with the concerns of Indian Affairs in this state, Custer and Wounded Knee would never have happened. It is sad when Indian people have to resort to the gun and training that the white man gave him, in order for that very same white man to listen and become concerned," Means wrote in his statement. "Everyone — and I mean everyone — better take a very close look at what is happening at Wounded Knee and why. Because if we lose, everyone loses."

"THIS HAS BEEN A HISTORIC AND TRAGIC EVENT"

—Roubideaux



Monday, May 7, 1973

Both U.S. and Oglala forces were in a state of anticipation today, with the occupation of Wounded Knee all but over. While the agreement had already been signed, a few days time to round up necessary bail funds was to intervene before Oglalas would allow the U.S. armed agents to enter the village.

"This has been a historic and tragic event," said Ramon Roubideaux, an Oglala attorney for the American Indian Movement.

Richard Hellstern, the hefty deputy assistant attorney general who maintained a hardline as a U.S. negotiator, was more pragmatic in his comments.

"What we have here," he said, "is an agreement that can be implemented, a complete package that we have been striving for over such a long time."

Kent Frizzell, now solicitor for the Interior Department, reserved his comments to praise the U.S. agents who had laid siege to the village. He praised them for their "patience."

Final confirmation of the agreement had come about 11 p.m. last night when Roubideaux telephoned the acceptance of the Oglalas to the Food Bowl in Rushmore, Nebraska. The restaurant had become the semi-official office of Government officials and reporters, who had lived in relative luxury throughout the whole confrontation. Rushmore has the nearest restaurant for more than 50 miles.

Federal agents will maintain their armed positions until the Oglalas signify they are ready to stack their arms. Then, the armored personnel carriers will withdraw, and one Indian elder will enter each government bunker as an observer. Only then will the Oglalas turn in their guns.

In addition to the treaty talks with the White House, the U.S. has agreed to undertake "an intensive investigation" of the operation and finances of the Pine Ridge reservation, and to protect all legal rights of individual Indians against unlawful abuses by tribal governing authorities.

The tribal council chairman, Richard Wilson, was not a party to the agreement. He was handed a copy during a press conference. He left before the announcement of the agreement was over — without comment.

Carter Camp and Leonard Crow Dog turned themselves in to U.S. officials today, and were taken to Rapid City where they were arraigned on charges including assault on federal officers, obstructing federal officers, larceny, breaking and entering, and arson.

Camp and Crow Dog were later released on \$70,000 and \$35,000 bond, respectively. "It was outrageous — unbelievable," said a paralegal worker in Rapid City. "The bonds were outrageous. Either the entire amount or collateral had to be posted. For Crow Dog, who never lifted a gun in his life, for the spiritual leader, it was an outrage. They would not have done this to a white minister. Both men were led in chains, shackled, and handcuffed."

Lawyers and paralegal workers from around the U.S. have travelled to help the Wounded Knee Legal Defense /Offense work. Total bail involved may mount to well over a half-million dollars. Hearings are not expected to take place for several months.

(This is an extract from a statement printed in *News & Letters*, by an Oglala woman who lives on the Pine Ridge reservation.)

Dick Wilson says that AIM is "outside agitators" when it's the Oglala people who are trying to be heard, who are still in support of Wounded Knee. Our Civil Rights Movement called in AIM. They were trying to get Dick Wilson out. The tribal council's hands were tied because of intimidation to themselves and their families by Wilson and his goons. . .

I was in Pine Ridge the day of Wilson's election. He furnished free booze, cars, and gas to people that would vote for

him. Even then he had a goon squad saying, "You better vote for Wilson or else."

We wanted to sell our land back to the tribe, even though we can get more money from a white person. People have borrowed money on that land sale. Dick Wilson is holding it up — he is trying to get as much money off our land as he can. I think the BIA has something to do with it and we want that investigated.

None of this was passed by the tribal council. Richard Wilson is sitting up there like a dictator. To me Richard Wilson and Richard Nixon could be the

same person.

The government is trying to smother why we are there . . they are trying to end AIM; they say it's Communist inspired. If that's communist inspired, then we were communist before Columbus discovered America. . .

We are fighting for the treaties that have broken through the years, and not only trying to get Dick Wilson out, but all the Dick Wilsons all across the country. All us people who believe something should be done about the injustices are finally uniting.

"DISNEYLAND MIDWEST"

(This commentary on the Wounded Knee occupation is by Andrew H. Malcolm, a correspondent for the New York Times. It was published May 8, and we are grateful to him and to his paper for the extracts published herewith.)

"Out here," said the U.S. marshal as he checked his revolver, "time seems to stand still."

The man, John Haynes, is one of 300 marshals, agents of the FBI, border patrolmen, and an unknown number of self-appointed vigilantes who surround the town of Wounded Knee just 900 feet from this bunker. . .

With the negotiations complete, attention has focused on bunkers like this one [Checkpoint Cheetah] with names like Dagger, Greywolf, and Alligator. Here stand several hundred tired, heavily armed men, looking down at Indian bunkers holding 150 armed militants.

. . . Each day begins with the changing of the guard. Marshals stand 24-hour tours of duty. After a day of rest, they leave their air-conditioned motels in school buses up to 60 miles from here, and are ferried to their posts by chartered helicopter.

Wearing sky-blue cover-alls, or camouflaged outfits with baseball caps, or plaid pants with tooled leather gunbelts, they take their position by their guns behind telescopes and binoculars.

This bunker, the closest to the Indian lines, is built of sandbags, railroad ties, timbers and straw bales over dirt rooms secretly carved from the soil one night. The floors are littered with spent shell casings, empty flare tubes, and boxes of ammunition by each slit. Supplies of tear gas, flak jackets, gas masks, M-16s, pistols and hunting rifles stand ready.

"All the comforts of home," said Marshal Robert Smith, who is a long way from St. Louis, where, like the U.S.'s 2,499 other marshals, his usual duties include serving of Federal Court subpoenas and protecting witnesses who have been threatened.

The bunker's timbers and vehicles bear bullet scars. "You can't tell where they are coming from," marshal Smith said casually. "They just zing overhead and you hear them hit. Then you know we're playing for keeps out here."

A shallow tunnel leads to a rear bunker with a stove, cots, and supplies. The men are issued Army C-rations, but most buy food in area grocery stores.

"The frustrating thing," said marshal Jim Crawford, "is that we are police officers paid by the people to enforce the law. Those people down there have broken the law, but we've not been permitted to go in there and get them."

That is not the only unusual aspect of this bizarre episode here at what the marshals call "Disneyland Midwest." Geographically, the setting is magnificent — rugged, rolling prairie that stretches unfettered from horizon to horizon, enabling humans to watch an entire string of six afternoon thunderstorms march across the sky.

It is a vast area where antelope and wild turkeys roam, where telephones are few and where residents think nothing of a 50-mile drive for a beer. Their dusty cars and pickup trucks whistle along the two-lane highways at 90 mph. . .

While several hundred heavily armed men and women confronted each other in this southwest corner of South Dakota, a large bright red Coca-Cola truck wandered aimlessly about one of the many nameless dirt roads nearby. The driver said he was looking for Nebraska.

At the reservation's Bureau of Indian Affairs office . . . laughing lawmen in football jerseys unload their guns in a parking lot in front of giggling youngsters on bicycles.

Marshals on guard duty hear apparent gunshot inside Wounded Knee. They radio their opponents for an explanation of the cease-fire violation. The reply: "someone was chopping wood."

*A marshal radios back: "What caliber ax did he have?" . . .

Last night, it was Mr. Haynes' turn to prepare T-bone steaks, baked potatoes, and a tossed salad. This morning, they ate flapjacks, bacon and eggs.

Some bunkers save food scraps for pets, members of a litter of eight puppies found in an abandoned house. The dogs, each named for the bunker that has adopted it, scamper about under foot even during fierce fire fights.

During slack periods, some bunker teams have even organized raids, complete with tear gas and armored personnel carriers, to kidnap another bunker's dog. . .

By day, the marshals' job is simple surveillance. By night, both sides send out patrols, fire flares, and hide from the chilling prairie winds and drenching rain. . .



Wounded Knee Evacuated



—Associated Press photo

Chief U.S. Marshal Wayne Colburn, Richard Hellstern & Kent Frizzell of Justice, & Ramon Roubideaux

Tuesday, May 8, 1973

The armed occupation of Wounded Knee ended today.

While much was sacrificed in the agreement with the U.S., the Oglalas agreed to accede to the decision of their elders and to make the best of the promises which were given by the White House. Those submitting to arrest maintained they committed no crime, and felt they had won a victory just by holding the town for 70 days.

Support — and criticism — came from around the country. Various nations around the U.S., long isolated from each other and from the general population, were united to a greater extent than ever in recent years.



A Salute from the prison bus (Associated Press)

The evacuation of the village began peacefully in bright sunshine. But there was one prize which the U.S. yearned for and didn't get: Dennis Banks. He had gotten around the federal blockades which had been tightened the last few nights, and was no where to be found.

About 40 persons gathered, as agreed, in the yard of the tipi church on the east edge of the village, where they were processed by the Community Relations Service, the only federal officials which had any degree of trust with the occupation force.

Disarmament began about 7:45 a.m. at a pre-agreed upon pace by both sides simultaneously. The first car, carrying two persons wanted on federal warrants, left 20 minutes later. They were taken to a FBI post on a hilltop a mile south of Wounded Knee for FBI processing, and then to Rapid City.

A slight snag occurred about 8:15 a.m., when the traditional leaders raised objections to the presence of Bureau of Indian Affairs personnel at Roadblock 3.

The meagre number of persons left in the village was a disappointment to the U.S. Most of the occupation force left the village three nights ago — Saturday — and about 15 left on Sunday, and the rest had left just last night.

In Sioux Falls, South Dakota, a reporter for the *Boston Globe*, was indicted by a federal grand jury on charges connected with the transporting of supplies in an airlift to Wounded Knee. The reporter, Thomas Oliphant, was indicted under a section of the law dealing with conspiracy and crossing state lines to participate in a civil disorder.

In a story published by his newspaper, Oliphant told of making the flight with seven other persons who parachuted nearly a ton of food and medical supplies to the Oglalas. He was included in the flight plans partly to add a neutral observer who could testify to the fact that no arms or ammunition were included.

Late last night, two more homes in Wounded Knee were burned down. Four persons tried to leave the village, were detected, and fired their guns as they retreated back into the village. Marshals returned their fire, and said they had wounded one person.

This morning at 4:30, off-duty marshals, Border Patrolmen, and FBI agents were picked up at their motels in chartered buses and taken to the U.S. perimeter. Then at 5:30, the sun rose in a bright blue sky, the weather a crisp 35 degrees.

A few minutes after 7 o'clock, by agreement, the U.S. armored personnel carriers withdrew from sight, and the Oglala force left their bunkers. Shortly afterwards, they turned in their weapons: about all there was were 15 old guns, far fewer than the sophisticated automatic weapons the U.S. had led everyone to believe the Oglalas had.

"These guns are a lot of crap," said an irate Richard Hellstern, deputy assistant U.S. attorney general. "The arms dispossession part of the agreement has been violated," he charged.

Carload by carload, the 120 remaining occupiers were ferried to a Government roadblock. Hellstern alleged that only half were Indians. Fifteen persons were arrested at the roadblocks and the others were released.

At 9:51, the order to advance went out to the marshals. In a skirmish line, they moved over the hill and down from the west.

Shortly before noon, Kent Frizzell, solicitor for the Interior Department, announced: "We have secured the village of Wounded Knee and are now clearing out housing. The operation went as well as I had hoped. Not a shot was fired."

Evacuation was delayed for more than an hour at one point when two white men identified as members of the occupation force, refused to surrender after driving to a federal roadblock. One of them, identified as Al Cooper, argued with the marshals over terms of the surrender, and his bond. The men locked themselves in their vehicle. The issue was resolved when legal counsel arrived to represent the two men.

When the village was clear, federal officers fired five volleys of gunshots. "The U.S. marshals are celebrating the retaking of Wounded Knee," came the words over a police radio network — perhaps in confirmation of the first "taking" of Wounded Knee in 1890.

Kent Frizzell admitted that the U.S. had apparently underestimated the number of persons occupying the village. Recently he had estimated the number as about 80 — but with 120 turning themselves in today, 35 surrendering in the past few days, and a huge number slipping past the U.S. cordon the last three nights, his "intelligence reports" obviously were less than 50% accurate.

At the crossroads, a U.S. spokesman said, they came upon and took into custody a four-man TV camera crew from the Columbia Broadcasting System, the same men who entered the village last week and who were evicted by BIA officials. Hellstern said they would be charged with aiding a civil disorder, a felony.

Inside the town, the cautious marshals, who were covered by agents in hovering helicopters, found the bunkers empty, but supplied with molotov cocktails. One armed man was seized in a house.

At 10:19 a.m., the voice of William Hall, deputy director of the U.S. marshals, crackled over the radio: "Gentlemen, the village of Wounded Knee is clear."

At 12:27, the special force of marshals radioed that all was clear for FBI agents to begin their criminal investigation.

The heavily armed agents, almost as one, leaped into their rented Plymouths and Fords and sped down the dusty hill to the town. Their U-Haul trucks followed them, and then came a Winnebago camper van, bouncing across the rutted pastures now littered with spent shell casings, empty flare packages, abandoned bunkers, and tin cans.

America had returned to Wounded Knee.



—United Press International

Wounded Knee Occupiers: the scene shifts to court

"THE VISION IS CLEAR — IT IS ESSENTIAL COMMUNITIES GAIN CONTROL"

(This is part of an article written by Ken Hale in the newsletter, *Resist*, published at 763 Massachusetts Avenue #4, Cambridge, Massachusetts 02139.)

... American Indians are engaged in a struggle for survival, and they are prevented from effectively waging that struggle — not by virtue of any lack of ability or vision, but by virtue of the fact that the conduct of their affairs is under the control of outsiders. Their position is in many respects closely analogous to that of Third World peoples abroad who are fighting for liber-

ation from the crushing bonds of U.S. imperialism. Like other Third World peoples, they see their material wealth flowing out of their territory, in exchange for poverty and degradation. And they see their cultural and linguistic heritage in peril of obliteration under the onslaught of a culture which offers a system of values which is seriously questioned by many of its bearers, as well as those who actively resist it.

The vision of many American Indians is extremely clear, both with regard to the true sources of their op-

pression, and with regard to the sorts of programs that would be needed to protect and to develop the enormous human potential which exists in their communities. It is essential that those communities gain control over their own lives.

The demand for tribal integrity is not to be identified in any way with irrational separatism; rather it is a demand for liberation from colonial domination by the very same power that serves the corporate exploitation of other Third World peoples here and abroad.

Ten Weeks Of Bad House- Keeping

Now that the occupation is over . . .

With the military offensive over, the United States turned its attention to winning the hearts and minds of the American people both by justifying its action, and by showing that the occupation force which had been under siege for ten weeks had not been good house-keepers.

Federal agents moved in with bulldozers to bury the trenches and fortifications both sides had dug, and to cover its own incriminating evidence — such as empty M-50 shell cartridges. The U.S. had steadfastly maintained it had used only such weapons as M16s.

The chief U.S. marshal, Wayne Colburn, said his men had been faced with a difficult policing problem, "but I feel the way we handled it was successful. . . I don't believe we could ask for a better solution than we have."



The latest in Pine Ridge bumper-stickers

The night before, the tipi-style Church of God, which had been barricaded against the U.S. siege, was burned to the ground. The Rev. Orville Lansberry, 67, and his wife, Emma, 69, had been missionaries most of their lives, much of the time in Chile. They had been the source of bitter criticism from Wounded Knee residents who said the Lansberrys were patronizing, while others claimed them as friends. One reason for the criticism was the relatively high standard of living enjoyed by the missionaries — Landrover vehicle, color TV, comfortable furnishings — while most of their parishioners lived in poverty.

"We worked so hard for everything," Ms. Lansberry told reporters. "And we lost it all. When you're old, you know, you have more to lose. We just don't feel it's worth staying any more." She pointed to a blackened mass. "That was my new washing machine," she said.

James Czywczynski, owner of the Wounded Knee trading post which was burned midway in the occupation, viewed the charred remains of his business. He said he and his wife would not rebuild at Wounded Knee but "would begin again somewhere else." Their loss was generally well insured.

Czywczynski said he wanted the debris to remain "to show the people of America what has happened at Wounded Knee."

That news was just fine with Mrs. Grace Hollow Horn, who is a descendant of one of the survivors of the massacre of the Big Foot Band by the U.S. Army in 1890. She and some other Oglalas resent the presence of Mr. Czywczynski and hoped that a shopping area built and run by Oglalas would replace him.

Mrs. Hollow Horn's view is that the white traders have exploited the site of the mass grave where the massacred Oglalas were buried to make money from the 250,000 tourists who pass through the museum and trading post each year. Even before the village was occupied by armed Oglalas, she had headed a drive to take over ownership of the site from the Roman Catholic Church and to have it under Oglala control and for Oglala benefit.

Mrs. Czywczynski said that since the family would have no guarantee "that this wouldn't happen again," they would build elsewhere. "But we liked living here," she added.

Dick Wilson said the "mess" should be expected from "these hoodlums and clowns — that's the way they live," he said.

Paved roads were rutted from the tracks of the armored personnel carriers. Trash, dirty clothes and garbage was strewn about.

In Pine Ridge, for the first time in weeks, it seemed, there were people walking about who were not carrying guns.

But though some of the "destruction that the press seemed preoccupied about were things like the 70 days accumulation of garbage which the Oglalas weren't able

to dispose of, there was much destruction the papers didn't talk about. For example, Wallace Black Elk, a medicine man, had left most of his belongings in his car. Between the time the occupation force left and the time the residents of the village were allowed to return, the car was shot up and the contents removed.

Already, federal officials taking their first look at the Wounded Knee village were muttering about calling off the negotiations which had been promised by the White House.

A total of 109 persons are under Federal indictment for charges arising out of Wounded Knee. Of these, 69 are either in jail or out on bond, and 40 others are still not apprehended.



Ranchers in the area also have complained of damage. White ranchers have been a target of chronic charges from Oglalas, who say that ranchers get rich from use of Oglala lands, while paying only modest amounts leases, which are handled through the BIA and tribal government, are sources frequently of corruption and graft.

Who caused the damage to other homes inside Wounded Knee is not clear. Some was obviously caused by U.S. firing, some seemed wanton destruction from within the village, and most seemed the natural, although unfortunate, result of living circumstances during the warlike siege.

"It's as close to a pig sty as I have ever seen," said Richard Hellstern, deputy assistant U.S. attorney general.

Russell Means, still in custody in a Sioux Falls jail, said that AIM had wanted the National Council of Churches to be neutral observers when the disarmament took place to be able to comment on this kind of charge from "the complete dictatorial powers of the government on an Indian reservation."

"The United States Government delayed the return of the original residents by 24 hours in order for their forces to vandalize and steal from the original residents of Wounded Knee in order to make it appear that the occupiers had done these terrible acts to their own people, thereby creating further division among our people," Means charged.

Stanley Lyman, BIA agency superintendent, said Means' charges were "ridiculous."

"None of the damage in the village was caused by government forces," said Lyman. He estimated damage to destroyed structures at \$300,000, said another \$70,000 would be needed to restore damaged homes, and \$100,000 would cover things that have been stolen or destroyed. Another \$25,000 would be required for clean-up, and the bridge which was burned to keep U.S. personnel out of one approach would cost \$30,000 to be replaced.

When some of the residents, like Paul and Eva Redstar, had seen the damage in the area, they said they would never return, but now they have overcome the initial shock and are beginning to sift through piles of rubble. Mr. Redstar began by burying the family watchdog, which he found in the yard.

Federal agencies said new housing would be built rather than fixing up the small dilapidated structures which had predominated before.

Vern Bellecourt said that U.S. remarks about "pig sty" conditions were primarily to give AIM a bad name, and that the actual destruction had generally been done by the U.S. "We were in an all-out war — there was little time for housekeeping," he said of the conditions. He said he could personally show where three trailer houses had collapsed from large-caliber M-60 and M-50 automatic weapons used by Federal patrols. (The U.S. has said that it had no weapons in the area other than M16s.)

Sacred Heart Catholic Church, the basement of which had served as a mess hall, held only a bushel box half full of packed lima beans, soybeans, blackeye peas, and macaroni.

Richard Hellstern, the hard-line deputy assistant U.S. attorney general, told newsmen how he would handle takeovers like Wounded Knee if it were up to him. "The major thing we learned about it is that it's a law enforcement problem, primarily. You cannot sit down with people like this [the Wounded Knee occupants] and work out arrangements successfully. If I were in control in the future, I'd handle it as a law enforcement problem, treating them the same as bank robbers and plane hijackers."

Inside Wounded Knee, FBI agents were still looking for a cache of illegal weapons they believe were left behind when the occupation force submitted to arrest.

Some families had moved back to their homes, others were preparing to move back, and some were saying they would never come back.

Eugene Kills In Water returned to find that a color TV set, drums, and other valuable personal belongings had been taken from their home. "I believe," he said, "it was by local boys. They knew what people had, and used the occupation as a cover."

Mr. and Mrs. Stanley Hollow Horn and their four children moved back into the house they rent — a U.S. bunker was still uncovered 50 yards away. Their home also had been broken into.

"We were caught in between," Mrs. Hollow Horn said. "But we moved to the village to stay with relatives because we didn't want to be among those beaten or raped by Wilson's goons. . . The goons are still out there and I'm scared to even go to Pine Ridge, afraid someone will grab us and beat us up."

Others condemn AIM for the damage — and some don't know who to blame. All pointed to burned pasture land from the parachuted flares, broken fences from armored vehicles, damage to pastures from bunkers. Many of the homes which were damaged were safely behind the U.S. lines, out of reach of the occupation force.

George Coats, a white rancher who leases land from his Oglala neighbors, and who has parlayed that land into some wealth, figured his losses at \$131,995. Of that amount, \$40,000 was for his house, which was burned. He lost 75 tons of hay beside.

"My insurance agent told me the company won't pay because AIM had declared war, and that I'll have to sue them," Coats said. He was hoping that the U.S. would pay him for the total damage, and then the government could worry about collecting the insurance. "I doubt that AIM is going to scare any of us out. I'm an eighth Indian, but they call me a white, so I'll have to build a nearly bullet-proof house, probably all cement. I'll plan though, on having a couple of machine guns for protection."

Women who supported the movement at Wounded Knee, and who went into the village during the occupation, say that they now ride with guns in their cars, afraid that one of the goon squads would get them.

The "goons" is the term used for the men who supported the tribal council, and who have become deputized as deputy U.S. marshals. They are now being trained by the marshals still guarding Pine Ridge — and they will become a permanent force on the reservation — funded by the U.S.

South Dakota's tourist industry was, in fact, wondering what the effect of Wounded Knee would be.

J. Greg Smith, marketing director of the Old West Trail Foundation, a five-state cooperative travel promotion group, said he urged "tourist-oriented individuals" to back Dick Wilson. He said he thought the Indian people had a good spokesman in Wilson. "It's a crime for a state such as South Dakota to have such an immense piece of real estate with so much undeveloped geographic, historical, and cultural lore. All its citizens should back the Indians in becoming involved in tourism."

(Dick Wilson has said he favors the restoration of Wounded Knee as a tourist attraction, "tipis and all.")

Clyde Bellecourt was in Rapid City during the hearings, and called on people to support an economic boycott of the Black Hills of South Dakota "until the Indian people receive equal justice and until the U.S. Government lives up to its Constitution and fulfills the treaties made with the American Indian." Bellecourt said he was asking people "not to trade here; we're asking tourists to stay out."

The State of South Dakota announced it was gearing up to combat insurgents and Governor Richard Kneip attended the graduation of the South Dakota Tactical Team in Rapid City. The team is designed to be on the scene of a civil disorder within six hours after it is requested by local law enforcement officials. In South Dakota, "civil disorder" generally means "Indian trouble", and the tactical team is composed of 92 peace officers from throughout the state, which means it is primarily of white men.

"I hope we will never need to use them," Kneip said. "But I am one governor who will sleep better knowing we have them."

About forty FBI agents were planning to spend a month around the Wounded Knee area, gathering evidence for the many court trials that may — or may not — take place.

Regardless of who is to blame, however, there is no doubt that many people suffered severe damages and that much outside help will be needed to get them back on their feet again. It is hoped, too, that when the village of Wounded Knee is reconstructed, that it will contain a grocery store that will be cooperatively run by the residents, and that the reconstruction will be in the hands of the residents themselves, rather than the BIA or the missions.

Maybe Wounded Knee II was over. But rather than seeming like the end of something, it seemed like the beginning — maybe the first round of a new kind of Indian War.



"I'm Just Here To Listen"



The U.S. Presence . . . "giving minorities a hearing"

The Treaty Meetings: May 18, 1973

From the time the two helicopters bearing White House officials touched down in a meadow on the land of Frank Fools Crow near Kyle, South Dakota, the contrast between the Lakotahs and the traditional government on the one hand, and the sports-shirt clad U.S. people was evident.

The Lakotahs wore traditional dress, the eagle feathers stirring in the gentle winds. The meeting was held under an arbor of ash logs topped with pine bows. The U.S. officials sat at a table, busily taking notes. The meeting was opened with a traditional address, given by Fools Crow.

Although Fools Crow can speak and write English, he spoke to the U.S. officials only in his own language, Lakotah.

At the end of the opening address, Fools Crow asked a question, which was translated by Matthew King. "I want to ask a simple question. Can the 1868 treaty be reinstated? I want a simple yes or no."

Instead, Bradley Patterson Jr., the head of the White House delegation and executive assistant to Leonard Garment who used to work for John Ehrlichman before Watergate and who now is acting counsel to the President, handed a letter from Garment to Frank Fools Crow. Patterson then explained that an 1871 law had eliminated the authority of the President to negotiate treaties with Indian tribes as sovereign bodies.

"Even if the President were here himself, he can't change an act of Congress," Patterson said. "I'm just here to listen. I'm going to stay all day to listen."

When Patterson finished talking, Vern Long, the head of the Oglala Civil Rights Organization which had invited AIM to Wounded Knee, said bitterly:

"For one hundred years. Listen. Listen. Promises. Promises. You go back, and what do we get?"

When the talks recessed for lunch, the U.S. team retreated to their helicopter for soft drinks and sandwiches. The other officials were Craig Becker, an attorney in the land division of the Department of the Interior who has specialized in the claim the tribal council has brought before the Claims Court of Appeals some 23 years ago; Leslie N. Gay Jr., assistant director of tribal operations of the BIA; Charles Soller, Interior Department legal advisor; and Barbara Kilberg, an attorney and consultant to the White House on Indian Affairs. With no disrespect to those individuals, it was hardly the blue-ribbon White House team that had been billed in the Wounded Knee peace talks, but the Oglalas were too polite to call names.

The U.S. group had gone first to Pine Ridge to talk with Richard Wilson, who considers the Oglala headmen as persons of no standing who are being used by the AIM people to gain a foothold on the reservation.

Dick Wilson wasn't impressed by all the cultural aspects of the meeting with the traditionalists. "Culture is fine," Wilson said. "But it don't feed you. You have to be in tune with the times."

Robert Burnette, a former president of the Rosebud Sioux Tribal Council, told the White House aides he feared a second Wounded Knee could occur at Rosebud since a similar situation existed there.

"We have been silent for a long time," Burnette told the U.S. officials. "We have fought your wars, and we are still the damn Indians. We want to be treated as decent human beings. My feet are tired, my head is tired. I say to you I can't keep the young men and women in check any longer."

Patterson warned against the occurrence of another Wounded Knee.

"I'll tell you honestly the President would not look with favor on any future Wounded Knees," Patterson said, although the traditionalists did not see that the President of the U.S. had looked with favor on this one. "That is not the way Indians or any other group should get results. It creates enmity, makes the public mad, and makes the President mad, without helping Indians."

Patterson said he would answer in writing all resolutions presented during the two-day meeting, and would meet again at Fools Crow's camp May 30.

The resolution, which was introduced by Burnette and passed unanimously, called for similar referendums on reservation throughout the nation.

The Lakotah elders asked for a Presidential Commission to examine treaty violations. This was a central part of the Twenty Points of the Trail of Broken Treaties.

The commission, the resolution said, "would be a signal to all Indian tribes that the United States Government recognizes a need to formulate a new policy in dealing with Indian tribes."

The group approved a resolution asking U.S. President Nixon to call a referendum to determine whether the Sioux would prefer living under traditional and treaty-recognized law, or under elected tribal councils. Burnette said that such a referendum would show people favored the traditional form of government, in which power was handed down from generation to generation without elections.

Ramon Roubideaux told the officials, "The federal government has to take a long, hard look at all tribal governments in this country. If something is not done soon, it will be a long, hot summer."

Patterson said he would answer in writing all the resolutions presented during the two-day meeting.

"This country is one that gives minority groups a hearing," he told the press later.

After the meeting, Bradley Patterson confided to newsmen that the negotiators for the U.S. saw the people they talked with representing a "minority viewpoint."

"We are under no illusion," Patterson said. "We understood that the people we were listening to were a dissident, minority group. They are articulate and outspoken, but they represent only one point of view."

While perhaps the same could be said of the representatives of the nine elected tribal governments in South Dakota who met with the U.S. team on Saturday when they first arrived in the plains, Patterson didn't.

"We heard a great deal about the 1868 treaty," Patterson said. "But, under that umbrella, I think I detected a more immediate concern. That was for fairness of judicial processes and public administration on reservations." And he indicated the continuing loyalty of the U.S. to the elected officials: "I can tell you that the effectiveness of the President's policies in Indian affairs depends on the effectiveness of tribal governments. We have a common cause."



He was concerned, he told the officials, that the U.S. policies would be jeopardized if tribal governments didn't clean up some of the matters causing complaint.

Bud Shepard, an Interior Department official, announced in Pine Ridge that \$100,000 in emergency relief funds had been allocated. He said the grant would be primarily for food and clothing of those persons displaced by the occupation. In announcing the grant, the U.S. continued to use the myth that the occupation was "by American Indian Movement" members "and others", rather than admitting to local discontent.

In Saskatchewan, Richard Held met with the province's Association of Peace Officers (SAPS). He is a special FBI agent from Chicago, and was in charge of the FBI force at Wounded Knee. He told his Canadian colleagues that there were only a few militants at Wounded Knee — it was the intervention of outside interests (mainly groups of white people, he said) that "stirred things up."

Held said that while many people were indicted as a result of the occupation, whether they would be convicted or not was "entirely another matter."

Richard Hellstern gave some indication that the U.S. strategy at Wounded Knee may have been to discredit AIM and to win a propaganda battle more than anything else. "AIM has lost support all over the country," he said. "We've broken AIM."

His words were echoed by Richard Wilson. "AIM died at Pine Ridge," he crowed.



Iroquois Royaner Explains Beaded "Two Row Wampum" Belt to Oglalas at Treaty Meeting with U.S. —photo by Heather Koppel

"Treaty-Making Days Are Over"

The White House Reply: May 31, 1973

If the Oglalas thought they were going to get a decent reply from the White House, they were mistaken.

Speaking on behalf of the American people, Leonard Garment, counsel to U.S. President Richard Nixon, said that the days of treaty making are over, and any changes in existing treaties must be taken up by Congress. In the meantime, the U.S. would refuse to dismantle the structure that it has built to deal with Indian affairs.

With all the goings-on in the White House, it was a surprise that Garment had time to make any reply at all. But if that was truly the U.S. position, then the traditional leaders of the Oglalas and other Teton people warned that they were "ready to fight for sovereignty."

Garment said that although another meeting already had been promised, he saw little use of that until the Indians understood the Government's inflexible position. He wanted them to give detailed replies to the suggestions he was putting forward.

One suggestion was to have a "postcard referendum", an informal polling at Pine Ridge, to see how many people preferred the Oglala government, or the U.S. Interior Department's tribal government. That offer was rejected.

The Oglala leaders felt frustrated by Garment's response. They prefer face-to-face meetings where issues can be argued out like human beings should, at eye level with each other. But the U.S. seemed to prefer written statements from faceless personages.

Ramon Roubideaux has called Garment's suggestions "yet another selling out of the Indians to the bureaucracy."

Frank Fools Crow said his sentiment was to "just send the letter back and say it says nothing. We will still demand another meeting."

Garment also gave the Oglalas some fatherly advice. "I am sure that you and Indian leaders through out the country . . . will reject the false advice of those who only lead you backwards."

Although he had not said so when he was in hearing range of South Dakota, Marvin Franklin, assistant to Interior Secretary Rogers Morton, said that Wounded Knee could have been averted "if the tribal council had recognized a need for a change in their form of government." He said that one of the U.S. errors in the past had been to provide Indians "with only autocratic forms of tribal government." He pointed out that the tribal governments not only control purse strings, but also the judicial and legislative bodies.

Garment's statement seemed more aimed at the U.S. public, whom he seemed certain would see the reasonableness of the U.S. position. The Oglalas were not going to be impressed, for sure. The White House has gone to some pains recently to see that it is not put in a bad light in Indian matters: a Federal Trade Commission study that accuses the Bureau of Indian Affairs of ignoring deceptive sales practices by trading posts on Indian Reservation. Agency chairman Lewis Engman is



"Return to your teepee, my good man . . . content in the knowledge that you've smoked the peacepipe with honor."

an ex-White House aide and it is speculated that he wants to spare the Administration further embarrassment. The report alleges that more than 80% of the BIA-licenses operators are guilty of truth-in-lending violations.

The American people were not consulted on the policy announced by Garment. But in some sort of effort to continue the guise of democracy in the system, the BIA sent out announcements on June 2nd that henceforth, any new roads built on Indian reservations will happen only after public hearings "to give Indian people a voice".



SENATE FOREIGN RELATIONS GROUP ASKED TO CHECK TREATY SITUATION

(This is an extract from a statement of the Congressional Research Service of the Library of Congress, dated March 1, 1973, which advised that the Senate Committee on Foreign Relations did, in fact, have power to deal with Indian Treaties. Although committee chairman Senator William Fulbright at one time promised to have his committee explore the matter, he has since had a change of heart. Letters to senators might refer to this Library of Congress research in order to get the Foreign Relations Committee to explore breaches of treaties.)

... Between 1778 and 1871, 370 treaties were made with Indian tribes and ratified by the Senate. These treaties were considered to have the same authority as treaties with foreign nations; they were all treaties pursuant to Article 2, section 2 of the Constitution.

... It could be argued that because the Committee on Interior and Insular Affairs became responsible for relations between the U.S. and American Indians, it would be the proper committee for consideration of matters arising under treaties with the Indians. However, Senate Rule 25 assigns all jurisdiction over treaties to the Foreign Relations Committee, and we have been told by the Senate Parliamentarian that any question involving treaties per se, including Indian treaties, would be referred to the Foreign Relations Committee.

On the question of whether the President has the power and authority to make treaties with Indian tribes, in view of the 1871 act [declaring that sovereign Indian rights would no longer be recognized] John Bassett Moore in vol 5 of the Digest of International Law (page 220-221) cites debate on the act: "It was admitted that if the President should undertake to make a treaty with the Indians, Congress could not interfere with his so doing, by and with the advice and consent of the Senate . . ."

MOHAWK ASKS COURT TO OBEY LAW

Mohawk Nation at Akwesasne — A letter asserting that Franklin County Court lacks criminal jurisdiction over traditional Mohawks has been sent to county judge Ellsworth N. Lawrence June 4. The letter also requests damages for Abram Herne, who was arrested on family charges this winter.

Citing the Treaty of Fort Stanwix between the Iroquois Confederacy and the United States which sets up the procedure for legal actions against offenders within their respective nations, the letter reminds Judge Lawrence that he is bound by the U.S. Constitution.

Article 6, section 1, paragraph 2 states that treaties are the "supreme law of the land, and the judges of every state shall be bound thereby" and adds, "laws of any state to the contrary notwithstanding."

New York State has claimed jurisdiction as a result of unilateral legislation passed during the 1950s. The protest letter was sent by CLAN, of which Ron Jones is acting secretary.

Lessons To Consider.....

The lessons of The Trail of Broken Treaties, Wounded Knee II, and Watergate are becoming more clear with each passing day. It is important that we take time to consider what those lessons are.

It seems clear now that the sovereignty that native people seek cannot be granted by the United States. It would be so even if the U.S. wished to do so. Sovereignty, like freedom, must be taken if it is to be had at all.

The behavior of the United States Government at Wounded Knee is worthy of close scrutiny.

It seemed that while the threat of an armed invasion was real, the U.S. was geared up more to wage a different kind of struggle, one which it hoped would rid them of the American Indian Movement forever. Thus guns and tanks were only part of the weaponry.

A major weapon was propaganda designed to discredit the AIM people so support would be cut off, both from non-Indians and from native people themselves. Part of the propaganda effort also consisted of cutting off the free flow of information so that the American people would be dependent upon government news sources if they were to find out much about what was happening.

A second major weapon, the U.S. thought, was time itself. The armed cordon would simply remain, well-fed and well-supplied, until the occupation force had exhausted its supplies, energy, finances, and resources. The U.S. seemed to feel that this would result in a condition like bankruptcy, forcing the organization "out of business."

Although the occupation is over, the U.S. continues to move on these fronts, tying up AIM in endless court appearances, high bail bonds, limiting movement — and spreading rumors and implications designed to discredit.

AN AKWESASNE NOTES EDITORIAL

The problem, though, is that AIM is not an organization — it is an idea. It is the idea that native peoples can work together to keep vital causes alive — and when enough strength materializes, to actually win on some of those causes. The movement is not so much dependent upon leadership as it is on vision. It operates not on structure, but on commitment. It cannot be jailed.

So the U.S. strategy, at best, is only a delaying tactic. Perhaps U.S. strategists understand all this and assume that delaying tactics will ultimately succeed — in the meantime, all Indians will have become so assimilated, deculturized, disorganized, and frustrated that they will commit cultural suicide.

Other things become clear as U.S. behavior is analyzed thoroughly. Wounded Knee and Watergate are both examples of moral retardation. Consider how the Justice Department made promises only later to have the White House say that only Congress could fulfill them. Or for the Administration to give considerations that the courts later denied, on the plea of "separation of powers." Consider the lies told to the American people and even by one branch of government to another.

Perhaps the White House is right when it refuses to honor human rights — right in the sense that it is incapable of doing what is asked. Perhaps the right to live natural lives, to be citizens of one's own nation, to raise children to be real human beings are rights which the U.S. cannot grant, and must be taken if they are to be enjoyed at all.

That means human kinds of beings must organize for themselves equally as much as they must organize against any who would deny their inherent human rights. Human beings must become independent of inhuman systems. Human beings must use their energies to exercise the fullest possible humanity, as well as expending energy to open up new possibilities.

There would be a temptation to create more Wounded Knees, believing that the recipe is to take over a small hamlet and to hold it against intrusion. That would be to miss the true spirit of Wounded Knee — as well as failing to realize that the U.S. is getting more experience in fighting Wounded Knees than Indians are getting in waging them.

Wounded Knees do not need to be created — they will happen with their own momentum and in their own time. What must be created are units of people working together, close to the land, cooperating with the Creation, according to natural laws.

We must recognize our own sovereignty — our own humanity. Then there will be no question of whether anyone else does so or not.

This does not mean that there are not strong forces of oppression that must be faced and dealt with. It does mean that we will find our own strengths, just as the destroyers will find their own destruction.

— Rarihokwats

The financial and human needs at Wounded Knee and in legal situations is still very real. Contributions and information requests can be sent to:

Wounded Knee Legal Offense/Defense Fund
Box 147
Rapid City, South Dakota 57701

Ramon Roubideaux, an Oglala attorney, is trustee of that fund.

OUR OWN PUBLICATIONS

THREE BOOKS: THE LAW, THE HISTORY, THE PROPHECY

THE LAW OF THE GREAT PEACE — the constitution of the League of the People of the Longhouse. 80 pages, illustrated by Kahonhes. \$1.00

MIGRATION OF THE IROQUOIS — told in English and in pictographs, with illustrations by Kahonhes. 36 pp. 50 cents.

THE HOPI PROPHECY — as told by Dan Katchongva. A new booklet of spiritual directions published by White Roots of Peace. Illustrated. \$1.00.

Posters published in the centerspread of each issue of AKWESASNE NOTES are available on heavy poster paper for fifty cents each, or 3 for \$1. (Add 50 cents if a hefty cardboard mailer is wanted.) There are 13 now available, including the one in this issue:

**SITTING BULL
CHIEF JOSEPH
ZUNI GOVERNOR
GRANDMA HUNTER
POUNDMAKER
FIRE-CARRIER**

**THREE HORSEMEN
LONGHOUSE TO KIVA
FAMILY PORTRAIT
SOUTH AMERICA
WOUNDED KNEE
THREE SISTERS**

The posters are also available for resale for bookstores and for fund-raising by Indian groups for 25 cents each.

Even though it's summertime, the 1973 White Roots of Peace calendar is still in demand — and even if the year is half over, the calendar makes a good poster set with 13 portraits, dates of historical interest. The calendar is 17x24, and has an attractive cover with an address list of Indian organizations on the reverse side.

The current stock of calendars is all there is, and there will be no further reprinting for this year. It costs \$2 postpaid, or \$1 in quantities of 50 or more.

INDIAN TOBACCO

Kinnikinnick, and other blends of herbal and tobacco smoking mixtures, are available from NOTES. We mix it, package it, and ship it. There is a catalog of the six available blends, but the best way to try it out is to order 2 oz. samplers — they are \$1.05 each postpaid — and test each to find a favorite. Each blend is representative of the old mixtures for social smoking. They are Eastern Woodlands, 'Ceremonial', Kinnikinnick (no tobacco used in this one — just barks and herbs), Mohawk, Western Plains, and Northwest Coast.

An easy way to help AKWESASNE NOTES raise funds for its survival is to encourage tobacco shops in your area to place a trial order of 36 packets for \$25 — that's a 1/3 discount. There will be 6 pouches of each kind in the trial order. It's also a good item to sell at powwows, craft displays, etc.

BOOKS

A BOOKSHELF WE RECOMMEND

American Friends Service Committee: *Uncommon Controversy* \$2.50. On Washington State Fishing problems.
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Borland: *When the Legends Die*. 75 cents. A novel.
Brandon: *American Heritage Book of Indians*. 75 cents. A historical/cultural summary.
Brandon: *Magic World*. \$2.50. Translations of poetry.
Brown: *Bury My Heart at Wounded Knee*. \$1.95. The true story of how the west was lost.
Brown: *The Sacred Pipe: The Seven Rites of the Oglala Sioux*. \$1.45. A basic understanding of the spiritual perspective.
Cahn: *Our Brothers Keeper*. \$3.95. A chronicle of contemporary wrongs and abuses.
Council on Interracial Books: *Chronicles of American Indian Protest*. \$1.25. A survey of resistance and struggle.
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Deloria: *We Talk, You Listen*. \$2.45. Discussion of contemporary situation, philosophy, solutions.
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Bibeau, Gawboy & Lyons: *Everything You Ever Wanted to Ask About Indians But Were Afraid to Find Out*. \$1.25. A cartoon book of laughs on ourselves and those about us.
Osborne: *Who Is Chairman of This Meeting?* \$2.50. A collection of essays from Neewin Press.
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Brown: *Spiritual Legacy of the American Indian*. 70 cents.
Fast: *The Lost Frontier*. 75 cents. A novel of freedom.
Abbott: *Paha Sapa (The Black Hills)*. \$2.25. A prophetic novel of 1970 pointing toward Wounded Knee.
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Van Every: *Disinherited*. \$1.25. The Trail of Tears.
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RECOMMENDED—HARDCOVER ONLY

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Burnette: *The Tortured American*. \$7.95. A recent expose of tribal government with U.S. sanctions in South Dakota.
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We carry in stock, as a service to our readers, most books in print on native peoples. This is a listing of only a few. Other books can be obtained by request. Specify publisher, and whether you wish paperback or hardcover.

TAPES

NOTES has a series of tapes available for school use, discussion groups, tape libraries. Prices: \$7 for 30 minutes, \$8.50 for 45 minutes, and \$10 for 60 minutes for radio stations and institutions. Individuals: half-price.

THE SECOND WOUNDED KNEE: a documentary detailing the major events of the first month at Wounded Knee, as seen from the inside. 60 minutes.

THE BRITISH COLUMBIA LAND CLAIM: A review of the claim, the Nishga Court Decisions, and the government response. 60 minutes.

INDIAN WOMAN: The Lavelle Case, now before the Canadian Supreme Court, may return Indian status to 40,000 Indian women. Also a look at traditional marriage customs. 45 min.
FISHING AT GRASSY NARROWS: "Fish for Fun" the sign read to attract tourists. But Indian people started to die and it was found that the traditional food supply was contaminated with mercury. 30 minutes.

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Additional copies of this issue have been printed to make bulk distribution possible at a cost of 25 cents per copy in quantities of 20 or more. For \$5, then, a person could give twenty copies to friends, members of clubs, to a social studies class for study. For \$25, a reservation group could see that 100 homes each receive a copy. Funds can be raised to help participating groups by reselling this issue on campuses, on the street, any place, at the usual cover price of 50 cents. Churches with a genuine concern for Indian events could order copies for distribution within the parish.

By whatever means, we urge each person reading this to consider ways by which this message can reach the most possible people.

Prepaid orders may be sent to AKWESASNE NOTES, Mohawk Nation, via Roosevelt town, N.Y. 13683 for immediate shipment. Please send money with your order — we are glad to send single copies free, but we will need money even to cover postage, printing, etc.

MICROFILM

AKWESASNE NOTES is available on microfilm from Underground Press Package, Bell & Howell Co., Microphoto Division, Old Mansfield Road, Wooster, Ohio 44691. It is also available from Kraus-Thomson Organization Ltd, Route 100, Millwood, New York 10546.

Volume One (1969) is out of print but available on microfilm. There were ten issues that year. Vol. Two (1970) had seven issues. Two issues are still available. Volume Three (1971) had nine issues, and are available only on microfilm. Vol. Four had seven issues. Four are still in print. Vol. Five has one back issue for 1973, and this is number two. All back issues are available for \$3.50, or 50 cents per copy.

HELP

This paper cannot exist without the support of you — the human being who reads these words now. There are many ways you can keep the paper strong:

take action on what you read. Write letters, think, give support, lend spiritual strength.

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let us know of people we should send the paper to — Indians in institutions, friends, anyone who may want to see this paper.

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AKWESASNE NOTES NEEDS:

dark room equipment
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tents, tarps, canvas, sleeping bags

WE ARE NOT BEASTS!

Denver, Colorado — A savage attack by Denver Police on a Chicano/Indio group mobilizing support here for the occupation of Wounded Knee killed a young Chicano, wounded others, and ended up in widespread arrests.

Crusade for Justice leader Rodolfo (Corky) Gonzales charged that the dead youth, Luis Martinez, 20, was the victim of police murder. The Crusade, which has been active in Chicano/Indio political and cultural education and organizing in Aztlan, is gathering evidence to investigate the possibility that the attack was planned in advance.

The Crusade for Justice is a Denver-based Chicano organization which has worked closely with Indian groups as well, playing a major role in the growth of the Chicano movement throughout the Southwest. In recent years they have been active in defending Chicano activists against police brutality and discrimination in courts. In the past four years, the Chicano barrios of Denver have been the scene of seven major anti-police rebellions, two of which ended in confrontation with armed officers.

When word of the Denver situation reached Wounded Knee, it heightened the tension as well as the resolve and determination of the Oglala occupation force. There were a number of Chicanos at Wounded Knee in a show of solidarity.

Sixty-seven Chicanos, at least half of them women, were jailed and allege that they were beaten by police.

Bill Perdue, a reporter for *The Militant*, said he happened to be passing through the area during the incident. "I witnessed a good part of the savage police attack from underneath a car where I was out of the line of fire," he said. "It was a nightmare for those who were the targets."

The building which was fired upon was owned by the Crusade for Justice, and was used as a dormitory for Tlatelolco School which the Crusade operates here in Denver. While the building was under attack, there was an explosion in the building, but it is unknown whether this was caused from within, or whether a bomb was thrown into the building.

Police ordered a section of the building demolished the following morning so that an investigation of the cause of the explosion by examining the site became impossible.

A reconstruction of the events leading up to the attack indicate that on Friday night, March 16, there was a party in one of the apartments of the dormitory. Sometime after midnight, a youth came out of the building, and according to police, approached a police car parked across the street to ask why it was watching the building. The car was occupied by a white policeman, Stephen Snyder, and a black policewoman, Carol Hogue, who had earlier in the evening attended the party in civilian clothes. The youth was immediately arrested "for jaywalking".

When another group approached the police car to ask about the arrest, Snyder jumped from the car and grabbed Martinez — officer Hogue grabbed the police radio and called for reinforcements, though there had been no physical response from the Chicano group.

Martinez, well known in Chicano groups as a choreographer for ballet and active in movement causes, was last seen backing away from Snyder, telling him, "Leave me alone — I don't want any hassles."

Martinez and Snyder disappeared from view in a nearby alley, shots rang out. Hogue chased in the police car, and according to police spokesmen, she met Snyder coming out of a parking lot. He said he had shot Martinez, and had been shot himself — although police did not say by whom.

Snyder was hospitalized with face and abdomen wounds, and neither he nor officer Hogue have talked with the press about the shooting. Martinez' body was found on the lawn of a nearby building — there was no gun found.

In response to the "policeman in trouble" radio message, a small army of heavily-armed police appeared — perhaps sixty of them according to the press, perhaps 200 of them according to witnesses.

Floodlights were trained on the dormitory and police began to shoot into it. An officer on a bullhorn warned police to keep out of the range of snipers — but there was so much firing into the building it was impossible to see if shots were coming out.

However, when the voice on the bullhorn ordered the police to cease firing, there was complete silence. While the one end of the building was being fired on, police went in the other end, breaking into apartments and pulling people out, beating on them and arresting them.



—LNS
A Message
Scrawled
on the
Bombed-
out
Chicano
Dormitory



Then there was the explosion, and a section of the building wall crumbled. After the task of clearing people out of the building had finished, police started firing into another building next door, claiming there had been sniper fire from there.

When the night was over, two police had minor bullet wounds, but it was not reported if they had been shot by other police or not. A half-dozen others were treated, mostly for sprained wrists and injured hands.

Mario Vasquez, a math teacher at the school, was found in the rubble of the blast. Although he was unconscious, he was arrested and charged with aggravated assault on a policeman and held on \$25,000 bond.

Police claim that random shots detonated a charge of dynamite that was in the apartment occupied by Vasquez and Martinez. However, witnesses say the explosion was caused by a grenade launched from outside the building.



Corky
Gonzalez
... the
death of
Martinez
was
"police
murder."

When Corky Gonzalez arrived on the scene, he was told by the Denver police chief that nobody had been injured in either shooting or explosion, that the incident had been touched off by an Anglo, and that it had nothing to do with the Crusade — it was a freak confrontation, Gonzalez said he was told.

Nineteen persons were injured in the four-hour shoot-out. Most of the persons who were arrested were later released without charges.

The following morning, Gonzalez called an independent investigator to check out the cause of the blast, but the police refused to allow him on the site. Before a court order could be obtained, the police called a wrecking crane in to demolish the building, making a study impossible.

Police claimed that they had found an arsenal in the apartment building, but within 24 hours, news reports were saying that 25 weapons had been found instead of the hundred reported earlier. Still later it was found that all but three of the guns were props for a Mexican Revolution scene done by the Ballet Chicano, and they lacked bolts and firing mechanisms. No charges have been made of illegal possession of the other three guns.

At a meeting the next day to discuss the episode, over 600 Chicanos gathered at Crusade for Justice headquarters. Among the speakers was David Gonzalez, who spoke in obvious pain. He said he had arrived in the area after the shooting began and did not know what was going on.

He said he was dragged from his car by two policemen, who started working him over. He said he was beaten again in the police car, in the police station elevator, and when he was thrown in a cell.

One of those arrested was Louis Ramirez. He said he arrived about 3 a.m. to see how he could help. He saw police detective Pete Diaz kicking Charles Garcia. Louis said to Diaz, "There's no need for that — what's the matter with you people?"

Ramirez says he was then beaten by many officers. He said Diaz was yelling, "Kill him — kill the son of a bitch . . . grab his arms." At the press conference the following day, Ramirez, a man in his forties, wore a patch over a badly battered eye, his face was covered with bruises, and there were stitches along one side of his head. Yet it is Ramirez who is facing criminal charges.



LOUIS RAMIREZ WAS BEATEN BY MANY POLICE. HE IS NOW FACING CRIMINAL CHARGES. THE POLICE AREN'T.

The Crusade is pressing for a full investigation, including one into the shooting of Ernesto Vigil, 25, a Crusade leader and a teacher at Tlatelolco School. Vigil was shot in the back by police who arrived while Snyder and Hogue were still pursuing Martinez. The police say they shot Vigil because they saw him fire on the police car.

"We can expect this kind of thing to keep on happening until the dream that Luis lived and died for comes true," Vigil said. "That is the dream that some day, Chicanos will be a liberated and independent people controlling their own destiny."

For a time, things were more tense than usual. Police were alerted and vacations were cancelled. Hospitals were told there might be trouble. Police started traveling four to the car in the Chicano sections. Persons stopped for routine traffic checks were shaken down. And just the week before, police chief Art Dill had been given an award by the National Conference of Christians and Jews as "the police administrator most concerned with police-community relations" in 1972.

(Thanks to Bill Perdue and Raul Gonzales for their reports in the *Militant*, and to United Press International for this info.)

Messages, funds for legal costs, and funds for the rebuilding of the dormitory can be sent to:
Crusade for Justice
POBox 18347
Denver, Colorado 80218

OPEN SEASON ON INDIANS

Michael Morgan, Killer Of Richard Oakes, Set Free



1942-1972
Ranoies... Richard Oakes

Santa Rosa, California — The man who killed Richard Oakes, a Mohawk who was one of the leaders of the 1969 occupation of Alcatraz by Indians of All Tribes, was found not guilty of voluntary manslaughter by an all-white jury March 16.

Oakes' death last September 20 unified Indian groups in sorrow and anger, and helped spark the Trail of Broken Treaties to Washington last November.

That his killer was charged only with voluntary manslaughter rather than murder seemed proof to many Indians that they still could not expect a fair day in U.S. courts. That he was acquitted of even that lesser charge is certain to be seen as new evidence that it is still open season on Indians.

Oakes, 30, was unarmed when Michael Oliver Morgan, 34, shot a single bullet through his heart on a remote county road northwest of here. Morgan is caretaker of a YMCA camp five miles from the Kashia reservation where Oakes lived with his family. His wife, Ann, is a Pompa.



In seeking a verdict, the jury of five women and seven men was to weigh whether Morgan fired his .9mm automatic "without malice or sudden quarrel or in heat of passion" or whether he did so in reasonable self-defense.

During the ten-day trial, assistant district attorney Ed Krug sought to portray Morgan as a trigger-happy man who responded with "obsessive and excessive" force to verbal hostilities. He tried to show him as moved by fear and hatred, waiting with a gun for the unarmed Oakes.

The defense attorney, Richard Pawson, pictured Morgan as a decent family and working man who had been bothered and threatened by an intruder, who thought mainly of protecting his life and his family, and who killed Oakes because he reasonably believed himself to be in "imminent peril."



To establish Morgan's intent as he fired, the prosecution went back to September 14, when Richard left home by car with Billy Lazore, 15, of Akwesasne, and Oakes' daughter, Little Fawn, age 2, to look for an 11-year-old son who was late for dinner. He let Billy off near the YMCA camp to search on foot. A short time later he spotted the boy in the YMCA parking lot, facing a young man who was holding a rifle.

Billy and Robert Myers, 23, a camp employee, were arguing about Indian hunting rights versus property rights. Oakes got out of the car, told Myers that the sight of a white man with a gun pointed at an Indian made him uptight, and joined the argument.

Morgan appeared from the house, where he had been dining with his family and a visiting couple. The argument continued and became more heated. Morgan took the rifle from Myers, cocked it, and fired it over Oakes' head. Billy pulled a knife, waved it, threatened to slash everybody's throat and that if Morgan killed Oakes, he'd have to kill Billy too.



Oakes took the knife from Billy. According to Morgan, Oakes made two throwing motions with the knife, but did not release it. According to Billy, Oakes just swung the knife around slowly, then turned his back on Morgan, who was still pointing his rifle.

Mrs. Morgan and one of the dinner guests appeared in a doorway. They heard Oakes threaten to burn down the place. If Morgan ever came to the reservation, he is alleged to have said, Oakes would set a road block for him from which he'd never return.

Morgan told his wife to call the sheriff and make a report on the incident.

The following morning, another camp visitor, Frank Greer, heard Morgan remark during a conversation on hunting, that it was "open season on coons, foxes, and Indians."

Disturbed, Greer pressed further and heard Morgan say that Oakes was a troublemaker, and that the country would be better off without him; that he was half-crazy from being hit over the head with a pool cue and that he might be better off dead.

Morgan, on the stand, denied Greer's version of his remarks. The pool cue remark was a reference to a near-fatal injury Oakes suffered in a San Francisco bar shortly after he left Alcatraz and was involved with the Pit River land movement. Oakes' assailant was convicted of assault with intent to murder.

Oakes never completely recovered. His wife Anne testified that he suffered from double vision and pain and weakness in his left side. His physical condition, and Morgan's knowledge of it, were an issue at the trial.

Later on the 15th, Oakes, with Ann and some of their seven children, stopped at the Y camp in what appeared to be a peace gesture. It ended in angry words. Morgan said Oakes called him a "white nigger" and told him, "You're gonna get yourself killed."

The conversation, to which there were no witnesses, ended with Morgan going into his house for a rifle. Oakes was unarmed.

On the 19th, Morgan surprised Billy Lazore and Lloyd Thompson, 20, also from Akwesasne and staying with the Oakes', in an attempt to steal horses from the corral.

Both fled. Morgan set out in pursuit with three other men — a carbine, and the high-powered pistol. He found Billy who was trying to hitch a ride on the county road, forced him into the car at pistolpoint and turned him over, some hours later to the deputy sheriff.

Thompson escaped by sliding down a 60-foot embankment to a riverbed. In the process, he lost a .22 pistol Oakes had given him. He said he had planned to hunt deer with it, and had done so before. The area is deeply wooded and ravined.

Spotting Thompson, Morgan fired. He said he fired into the air to frighten Thompson into staying down in the riverbed and to keep him from returning to the reservation for help before the sheriff came for Billy.

Billy did not call home that day or the next. There was no testimony as to whether Oakes knew what had happened to him after he was forced into the car.

The defense contended that Oakes sent the boys for horses, pointing to a statement to that effect made by Billy after his arrest, and later withdrawn.

On the afternoon of the 20th, Oakes left Thompson where he'd lost the gun, telling him to look for it, and wait for Oakes to return. He proceeded along the country road on foot.

Thompson waited till nightfall, then returned home. By this time, Oakes was dead.

At about 4:30, Morgan had finished his work in the corral and was walking along the Y camp road. Where that road meets the county road, he encountered Oakes.

The way Morgan told it to a deputy sheriff shortly after, Oakes "jumped" at him "out of a clump of redwoods." At the trial, he said he first saw Oakes walking towards him, hands at his sides, from the area of the redwoods, which are beside the county road.

Oakes demanded, "Where's the boy?"

Morgan answered that the deputy sheriff had him at Juvenile Hall. Then, according to Morgan, "Oakes said, 'Sheriff or deputy sheriff can't help you now — I'm going to kill you,' and he lunged. He moved so fast that Morgan did not see whether he had a weapon. Morgan said he yelled, 'Forget it' or 'Stay away'." Then he drew the gun from his belt and fired.

The prosecution tried to show that Morgan fired with intent to kill and that he had other means of self-defense; that Oakes was not lunging at him; and that Morgan had no reasonable cause to fear Oakes would kill him.

Krug produced testimony from Myers and another camp employee who had been working at the corral, some 400 feet away. One of these witnesses reported he heard voices for "a couple of minutes" before the shot. The other, Myers, said he ran toward the voices and saw Morgan standing in "target position" for several seconds before firing, feet spread, both hands on the gun. Morgan said he held the gun in his right hand only while backing away from Oakes.

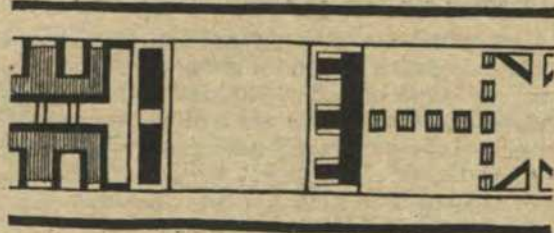


The prosecution pointed at the fact that Oakes, though physically larger than Morgan, was partially maimed by injury. Krug tried to show that Morgan knew this. Krug pointed out that Morgan gave no warning before firing. The body had fallen backward, which indicated to Krug that Oakes could not have been lunging at Morgan when he was felled.

In previous confrontations between the two men, Krug argued it was Morgan alone who produced a gun. He asked the jury to put itself in Oakes' place, in view of Indian history when he saw Billy facing the armed white man.

"All Richard had was his spoken word — that was his weapon and he carried it in his heart," Krug said in closing argument. He spoke of "the thin line between fear and hatred. So intertwined are the two that they are identical." It was up to the jury to weigh such emotions in context of Morgan's act.

(We are grateful to Rasa Gustaitis for her account of the death of Richard Oakes and the trial of Michael Morgan — and to Ann, an artist, for the sketches.)



PUEBLO IS NOT FOR SALE

Tesuque Pueblo sits on a quiet valley among rolling, pinon-pine-covered hills, just off the Rio Grande about ten miles above Santa Fe, New Mexico. Its 300 residents live modestly but decently on subsistence corn plantings, a few low-paying jobs, and some finely crafted clay pots and animal figurines that they make and peddle to tourists in the summer.

Tesuques have never had things easy. Not long after they founded their pueblo, a great drought began. The drought lasted three decades, and throughout the whole Southwest, many people died of starvation. When the drought had passed, marauding barbarians arrived from the north and west. The Tesuques fought the intruders and lived under virtual siege for two hundred unrelenting years, and just when treaties were being arranged, the Spanish came up the Rio Grande with black powder and the Church Militant.

But Tesuques have always had great resilience and temerity. In 1680, they led the Pueblo Rebellion that defeated the Spanish. They negotiated the government of the Republic of Mexico to a Mexican standoff. Even today, they pursue their traditional lifeway in the Pueblo's old adobe tenements and more than a few have never bothered to learn the English language.

Now there is this subdivision called Colonias de Santa Fe. The subdivision is on Tesuque lands under 99-year lease to the Sangre de Cristo [Blood of Christ] Development Company. The Tesuques receive 5 percent of the money that the Development Company earns from its sublessors.

The Colonias de Santa Fe subdivision is enormous, slated ultimately to encompass a third of the Tesuques' 15,000-acre reservation, and for the past two years it has been a cause of bitter controversy. The subdivision promotions, which centered on bandleader Skitch Henderson, a bright-red London double-decker bus, and a million free Green Stamps, made the Santa Feans edgy about a possible influx of yokels. Some Santa Feans, particularly those who had recently moved there from the cities, were edgy about a possible influx of anyone. The eventual ranch homes are intended to accommodate 17,000 people. A group calling itself the "area environmental defense fund" was launched and advertised against the subdivision, and the Sangre de Cristo Development Company responded with a \$2.5-million suit for libel. The state and local governments sued the subdivision for nonobservance of zoning laws and non-payment of property taxes, and the subdividers countersued the state and local governments to prevent them from enforcing their laws in Indian country. At one point, the founders of the Sangre de Cristo Development Company even sued each other over the question of who was entitled to which especially choice free promotional lot as his founder's bonus.

The only thing everybody involved has agreed on is intense admiration of and friendship for the Tesuques. The subdividers have invoked their friendship to warn the Tesuques that the "area defenders" and local government were out to destroy the tribal sovereignty of the pueblo. The factions opposed to the subdivision have invoked their friendship to warn the Tesuques that the Development Company has taken financial advantage of the pueblo. The obvious fact that the warnings were by no means mutually exclusive made some Tesuques edgy.



Last summer, the Native American Legal Defense and Education Fund filed a long complaint with the United States Court for the District of New Mexico. The named plaintiffs in that complaint, including a fifth of all Tesuques suing on behalf of the rest, charged that the Sangre de Cristo Development Company and the Bureau of Indian Affairs had combined to perpetrate a fraud. They charged that the Tesuques are receiving less than a dollar per year per acre that the development company will sublease for \$3,000 to \$9,000 per one-third acre tract; that the 99-year-lease transfers so many of the pueblo's water rights to the subdivision that Tesuque agriculture will have to stop; and that the septic systems proposed in the development company master plan will necessarily pollute the groundwaters from which the pueblo's municipal wells draw.

The complaint also states that the water rights that pass under the lease have been conservatively valued at no less than \$1-million and maybe much higher. It also argues that the reasonable worth of the Sangre de Cristo Development Company's leasehold interest in Tesuque Pueblo is \$5,565,000 and that the present discounted value of all payments the Tesuques would ever receive under the lease is \$340,000.



Last November, the 10th Circuit Appeals Court ruled in Denver that the BIA had violated the law when it approved the Tesuque subdivision lease. And in February, U.S. District Court Judge Howard Bratton ordered the Department of Interior to "take all steps necessary to effect a suspension" of the development until a federal environmental impact statement had been filed.

The development is also under an order of the Department of Housing and Urban Development Office of Interstate Land Sales Registration, prohibiting further sales until Sangre de Cristo files a disclosure statement concerning the availability of water, electricity, schools and police and fire protection.

The Interior Department tried to prevent HUD from suspending the developers. Last November 17, William Gershung, associate solicitor for Indian Affairs in the Interior Department, wrote a letter to HUD taking the position that HUD had no jurisdiction because the development was on Indian land.

Another case which is pending has been brought by people of the pueblo themselves asking for outright cancellation of the lease. It was filed August 15 in district court in Albuquerque against five federal defendants of the Interior Department and the BIA, as well as Sangre De Cristo Development Company.

Confronted with the possibility of 17,000 new neighbors (the pueblo itself has a population of about 270), some fifty Tesuque people took the matter to court when they realized it was "termination in disguise." It charges the U.S. officials with breach of trust and the development company officials with "fraud."

The plaintiffs stated that the Development Company was set up solely to exploit Tesuque lands and was dangerously under-capitalized, and that the lease it has obligates the Tesuques to provide electricity, water lines, parks, schools, fire and police protection, and all other usual municipal services to as many as 17,000 subdivision residents in the event the Development Company falls into bankruptcy. The plaintiffs say that the lease was never explained to the tribal council that ratified it, and that it was never translated into Tewa, their first language. They allege that their tribal council thought it was signing up for nothing more than a golf course. The defendants have moved to dismiss the complaint on the ground that it fails to state a cause for action. The case is currently in litigation.

Jack Campbell is a prominent figure in the state's Democratic party machine. He has been criticized for allowing his law firm to undertake representation of the Sangre De Cristo Development Company while he was already engaged as general counsel to the Tesuque Tribal Council. The criticism became particularly noisy after a meeting of the Tesuques this July at which Campbell explained the 99-year-lease, allegedly making the provisions seem more favorable to the pueblo and less favorable to the subdivision than they are in fact.

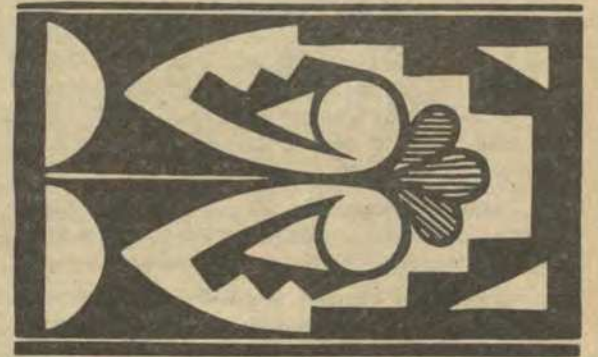
Campbell's law partner says that the interests of the Tesuques are identical to those of the subdividers in the areas of his law firm's representation. As for the July meeting, he explains that Campbell's designation as general counsel to the Tesuques was in the nature of an honorarium, that the Tesuques did not expect and could not afford his full-time representation, and that the former governor of New Mexico had never found a chance to study the lease during his eighteen months as general counsel and was merely attempting an off-the-cuff interpretation to accommodate his Tesuque friends. Only the most cynical New Mexicans suggest that the former governor's judgment could have been skewed in any way by the thousands of dollars his firm receives in development company legal fees. He has a reputation for forthright honesty that is rare among New Mexican politicians, and this September, he resolved any problem of conflict of interest by resigning as counsel to the pueblo.

Campbell's former law partner, Donnan T. Stephenson, is another politico with an unsullied reputation. Last year, his legal acumen and political clout combined to elevate him to the Supreme Court of the state. A litigation in which his old law firm represents the Development Company has been before his court, and he has taken an active role in the hearings, participating in the

decision in favor of the development company. Some have suggested that Stephenson might have excused himself either because the firm he so recently left is handling one side of the case, or because he had been attorney of record for Walter Kegel, a founder and principal of the Development Company, until the day he donned his robes.

Fred Standley, another of the founders of the Development Company, is a former New Mexico attorney general who for years has been a close associate of Campbell and Stephenson at the busy center of New Mexico commerce and Democratic organization.

A media blackout in the area has hindered the Tewa Tesuque in gaining public support in their protest. For instance, last October, Jack Anderson publicized the Colonias land hassle. Newspapers in Phoenix, Arizona, and the *Albuquerque Journal* refused to print the column. The *El Paso Times* printed part of the column, deleting the references to complicity by politicians and the BIA. Only one paper, *Santa Fe New Mexican*, known for its outspoken opposition to the development, printed the column in its entirety as a guest editorial.



Standley is sure that all the trouble has come because businessmen want to keep the Indians poor. "What tourist," he growls, "wants to see a rich Indian?"

The developers also charge that Santa Fe residents have stirred up the Indians, and that Santa Fe always was known for being "unprogressive."

The developing company is made up chiefly of politicians in the state connected with Democratic Senator Joseph M. Montoya, and I.A. Jennings Jr., an Arizona businessman whom the *New Mexico Review* charges has had well-known Detroit Mafia connections in the past.

The Tewa Tesuque suit asks for over \$5,000,000 damages, and a preliminary injunction to halt the company from making any further promotions or development on the lands pending full trial.

Robert Friedman, BIA Northern Pueblos Agency superintendent, said a year ago that it had been unfortunate that the Tesuque Tribal Council had no legal counsel during the negotiations for the lease, and that the Interior Department solicitors checked the lease only for its legality without being called upon to advise the Tesuques. Recently, however, he said that the Interior solicitors had indeed given "expert advice" to the Tribal Council, along with Robert Simon, a New York based developer called in by Interior to look over the negotiations almost a year after they had begun. Simon said at one point that it was his opinion that the Indians "seemed to be negotiating out of fear."

The suit states seven causes of action, alleging that the federal defendants failed in their obligation to protect the interests of the pueblo, that the development company took advantage of the Tesuque Pueblo Tribal Council's lack of education and business experience, that the lease's provisions are "nothing short of disaster" regarding water, and that the Secretary of the Interior failed to see to his "continuing responsibilities" with regard to the National Environmental Protection Act.

Actually the lease was executed in a secret, emergency signing exactly one week before the National Emergency Environmental Protection Act went into effect in April of 1970. The members of the Pueblo were invited to a public signing of the lease a month later.

Finally, the complaint alleges violation of the civil rights of the Tesuques, stating, "The way of life and religion practiced by the Tesuques for more than seven centuries would cease to be tenable if the terms of the purported lease were allowed to stand. The Tesuque religious cycle and the ancient pueblo are to be an amusement attraction for the residents of the subdivision community and proposed trailer park residents."

The legal action was taken as a desperate last resort, according to one of the officers of Tewa Tesuque. "We went first in the traditional way to our leaders, but they didn't respond to our questions and our fears for our land and our water and our future as a tribe." The Tesuques have been taught to respect traditions and traditional leaders — and how to respond to people in traditional positions who use traditional ways to threaten tradition itself is a difficult and emotional matter.

"I have no disrespect for my Council. I am trying to do the right thing to help," the Tewa Tesuque official continued. "As a child, I was brought up to respect our council. I never dreamed that I would be doing this thing. But our council never did anything like this before."

Another figure in the dispute is James Hena, who was executive assistant to former BIA commissioner Louis Bruce — and who seems to have survived the recent BIA shakeup. He initiated the idea of long-term lease of pueblo land back in 1964. And he is son-in-law of headman Martin Vigil. He has flown back and forth from Washington to Santa Fe to solve various lease crises that have arisen.

Now, it seems, even some of the older people who simply could not believe that they would be betrayed by the BIA understood what has happened, and why the younger people have had to speak up. "Somehow, [the younger people] woke us up," a Tesuque senior citizen said. "It was like a puzzle, and we began putting the pieces together and saw the picture clearly for the first time. And we shivered and talked with the lumps in our throats. They have given us an understanding and the strength from the beginning and we are standing by them no matter what. We are working together. These matters and relationships only serve to show the typical complexities of the milieu entered by the Tesuques when they, in company with and under the guardianship of the Bureau of Indian Affairs, entered the negotiations that produced the 99-year-lease of their lands to the Sangre de Cristo Development Company.

The Policy of Exploitation

If history is a guide the 1968 swing away from the policy of termination represents the development of a new technique of Indian exploitation by the Bureau of Indian Affairs and the Interior Department. It may be that the new technique involves a method of retaining the juridical tribe — 'the tribe' as governmental unit, as a legal entity possessing valuable, non-transferable rights — while separating the juridical tribe from the Indians. If so, Tesuque may be one of the early examples of the use of the technique.

The Tesuques began to move toward the present pass in 1964, when they petitioned the BIA for greater control of their lands. They asked for the right to make long-term leases, to attract industry of some sort to the pueblo so that Tesuques who wanted occupations other than hoeing corn and molding pots could find these occupations without having to leave the ancestral home. In 1967, the BIA sponsored a development consultant's report on the pueblo land. The report, now labelled "Kirschner, 1967, Water and Land Use Reports", are confidential. The BIA will not release them, and it is certain that few pueblo members know of the contents which spell out the course of the future of several (maybe all) future pueblo generations.

"The six pueblos are advantageously located with respect to the expanding urban areas of Los Alamos, Santa Fe, and Espanola," the confidential document states. "There is evidence of increasing movement to outlying areas. The available lands of the six pueblos suitable for residential development could be utilized to help satisfy this growing demand for housing in the fringe area."



The next year, the BIA obtained Congressional permission for Tesuque Pueblo to enter ninety-nine-year leases and the Sangre de Cristo Development Company was set up. The Tesuque suit contends that the two events were in some way connected. It contends that negotiations between the pueblo and the subdividers began immediately, and that other persons with less grandiose business proposals were not allowed to present them to the tribal council; that they were permitted to present them to one Tesuque, a permanent member of the tribal council by virtue of his position in the Tesuque theocracy, and a permanent underling of Fred Standley in the New Mexico Democratic party machine. It is unclear whether he or the BIA decided that more than one proposal would merely confuse the tribal council.

The pueblo and the subdividers reached an agreement in principle. Whether that agreement concerned a golf course alone or whether it comprehended a subdivision is unclear. The Tesuques' complaint says a golf course. It says that the BIA people took over at that point to handle the firming up of details, and that the BIA people negotiated the transfer of water rights and other critical matters without so much as consulting a single Indian ward.

Although the BIA was willing to shepherd the lease through, now that it has been signed the Tesuques have been abandoned to protect themselves under the lease provisions. Neither the Pueblo Agency Office in Santa Fe, nor the Albuquerque Area Office, nor the Washington, D.C., headquarters, are monitoring the lease.

The tribal council seems unable to defend its rights under the lease — it has not had any independent legal counsel since Jack Campbell resigned under the pressure of the Tewa Tesuque law suit. That has left the burden of picking up the legal pieces to the Tewa Tesuque, who fortunately have had the help of the NALDEF attorneys Dick Young and Tom Leubben.

It would appear that those burdens are many. In fact, the breaches of the lease by Sangre de Cristo are so extensive it is a wonder that there is any lease left at all. Consider:

- failure to meet quarterly rental payments on the subleases which have been made.
- failure to meet the annual rental payments on the land which has not been sublet.
- failure to progress in development of the golf course, streets, utilities, municipal organization.
- the annual inspection of books and audited financial statement has not been provided.
- performance bonds have not been posted. This is particularly crucial for the golf course construction, since the land has been stripped — and never seeded. If there were bonds, as the lease specifies, the bonding company would have to complete the job — but there are, it seems, no bonds.
- creditors have filed law suits, although the lease specifies that the corporation must pay debts prior to suit.
- an illegal sublease was executed between Sangre de Cristo and George Becker and Associates without approval of the BIA Interior, or the tribal council.
- an adequate and proper "master plan" and other plans on specific improvements were to be detailed and submitted to the tribal council and government agencies for approval. This was not done.
- there are problems with the proposed liquor license necessary for the development
- failure to create job training program for the tribal members. In fact, some of the Tesuques were asked to work as unskilled day laborers at below the federal minimum wage scale.
- there are dust bowl and flood conditions from unfinished roads, golf course construction, etc.
- the leasehold interest was sold and transferred without approval of the BIA or the tribal council to new principals.

The legal options are many — but neither the trustee, the U.S. Government, nor the tribal council, seem anxious to take action. Whether there will be a continuation of the current mess, or termination of the lease is anyone's guess. And if the lease is terminated, what then? There could be a new lease, or the tribal council could develop the golf course on its own. Or maybe a limited leasing arrangement. Or maybe nothing but peace and quiet.

If there are to be any new leasing arrangements, there are many lessons which have been learned. There should be independent (meaning, non-BIA) appraisals of land and water. Bids should be advertised for so a wide response could be gained. The tribal council must have some form of control, perhaps as a partner in a joint venture. Legal advice must come from non-political, non-involved counsel. And lastly, the entire tribe must exercise its right to understand what is happening to their resources, rather than to leave such decisions to mere representatives.

No doubt, Sangre de Cristo is a troubled corporation. Bugged down by six lawsuits, shut down by federal housing officials for violation of the Interstate Land Sales Act, and under an injunction to withhold sales until an environmental impact study is made — not to mention all the bad publicity — the stock market value of the company is next to zero. The creditors have moved in, and have organized to prevent bankruptcy, which would terminate the lease. They hope to keep a breath of life in the old firm until the exploitation of the Tesuques can proceed with full strength.

To this end, the major creditors organized a new corporation, Monte del Sol Corporation, and went after a controlling interest in the now-worthless Sangre stock. These creditors who the Tesuques will deal with are:

- George Becker and Associates of New York, a huge real estate syndicate made up of Kriendler Brothers (of Club 21 in New York), Skitch Henderson, Ike Eisenberg (ex-mayor of Sand Point, N.Y.) Tishman Brothers of Tishman Realty (trying to build a convention center for New York City now). Some people allege that this means Mafia money, seeking legitimate outlets in the Southwest development boom — and gambling on Indian land. (At Sandia Pueblo, an outfit wants to build a dog-racing track).

George Becker is the biggest name in construction in the Virgin Islands, where he has three large resort hotels, a condominium, and a tennis club. Becker had an unapproved (thus illegal) contract with



Sangre de Cristo to construct a condominium and tennis club at Tesuque. Sangre would get 20% of the profits from this project — as compared to the 2% or 3% Sangre gives the Tesuques for the various commercial businesses in the Colonias development.

— Wayne Lowdermilk of Denver, and Espanola, New Mexico. One of his construction companies has done what little work there is, and Sangre owes him about \$100,000.

— the Zia Real Estate Company. The principal is one George Connelly, who came to New Mexico last year from the Virgin Islands, through Mr. Becker. This firm has said it would purchase the Tesuque lease — and it is assumed that the funds will come from Becker.

When, in April, word leaked out that Sangre de Cristo was broke, local BIA officials urged the tribal council to hire a new lawyer, and recommended to them names from a list drawn up by the Interior Department's field solicitor's office. However, another firm, Donnell and Zinn, were approached by certain tribal officials and were retained. Incredibly, the new lawyers have not considered termination of the lease in the list of options open to the tribe, and the transfer of the lease to the new firm has not been challenged.

The whole matter could come to a head as the result of a routine bureaucratic action. On May 15, the Internal Revenue Service attached a 'Notice of Sale' to the front window of the now-closed sales office of the Sangre de Cristo Corporation on the Tesuque land. The IRS has filed a tax lien on the lease and will hold a closed bid sale June 8 to collect delinquent taxes of \$23,000 — money withheld from employees' wages, but never paid to the government.

The unwillingness of the Interior Department to act in the face of all this would indicate that it must protect its own image before it protects Tesuque rights and resources.

At the heart of the present crisis is the simple fact that the Interior Department betrayed the Tesuques when it approved the 99-year-lease of Indian land to non-Indian developers, a lease over which the tribe had no management control. Worse, the lease failed to protect the tribe from the sublessees in the event the developers should fail.

Now that the failure has taken place, the government is compounding its betrayal of trust obligations by seeking a compromise solution that will rescue the good name of the Interior Department — at the risk of further losses to the tribe.

Tewa Tesuques hope that they can convince their own tribal council that it must act now, before it is too late, to cancel the lease. Then if there are suits against the tribal council, the Interior Department can be made to live up to its responsibilities.

One more example of the Interior Department's trust breaches: the state of New Mexico has appraised the value of the land in tract one of the lease at \$1,856,700 — but the Bureau of Indian Affairs used an appraisal figure of \$180,000 in calculating "proper return" for the Tesuques. And that doesn't include water rights!

And for whatever it's worth: one of the BIA lawyers who pushed the Tesuque lease as far back as 1969 was Arthur Gajarsa, recently signed on as tribal attorney for the St. Regis (Akwasasne) Tribal Council in New York State. Gajarsa was the attorney who induced Wesleyan University to cancel an agreement to publish AKWESASNE NOTES, precipitating our current postal problems (see page two.)

Several of the New Mexico pueblos, and maybe Indians elsewhere too, are now being offered deals like the one the Tesuque made. Cochiti, Tesuque's nearest pueblo neighbor, is on a ninety nine-year lease to the owners of Shakey's Pizza for a subdivision remarkably like Colonias de Santa Fe. Zuni, the largest of the pueblos, once seen from afar by Coronado and thought to be the golden city of the Seven Cities of Cibola, is being developed by the Dow Chemical Company.

The economic exploitation of the tribal Indian has always been a harsher matter than the economic exploitation of, say the black man, because tribal Indians as people are, by definition, of no value to the national economy. To exploit the black man one maintains him in his labor, but to exploit the tribal Indian, one separates him from what he possesses. When black men were enslaved, Indians were exterminated; as the respective techniques have been refined, their respective gentleness has remained proportional.

(Thanks to Eric Triesman, a practicing attorney, formerly with Native American Legal Defense and Education Fund for his article in the January issue of Harper's Magazine, to that magazine, and to our special correspondent in New Mexico, for this report.)



The Shooting Of LARRY CASUSE



Frankie Garcia

Larry Casuse

Gallup, New Mexico — A tense mood prevails here after the shooting of a young Navajo student leader during an apparent attempt to abduct Gallup Mayor Emmett Garcia March 1.

Larry Casuse, 20, who had been a student at the University of New Mexico at Albuquerque, is dead. Some witnesses claim he was shot by police. The police say his wounds were self-inflicted.

Bail of \$85,000 was set on a companion of Casuse, Bob Nakaidinae, 20, of Fort Defiance, Arizona. He is charged with kidnapping and burglary.

Governor Bruce King has called for a state police investigation into related violence and the abduction incident. Gallup has been the scene of protests over recent years concerning the Intertribal Ceremonial, which some Indians say is exploiting of Indian people and culture.

DePauli said 10 to 15 state, city, and county sheriff's officers exchanged fire with the Indians for about 5 or 10 minutes until "one fellow inside the store threw down his weapon and threw up his hands."

Garcia said the pair had disarmed Police Chief Manuel Gonzales, handcuffed the mayor, and marched him at gunpoint two blocks to the sporting goods store.

Casuse was found dead in a pool of blood just inside the doorway of the store after police fired a barrage of teargas and bullets into the building.

Garcia escaped by leaping through the front door window during the episode, which began about 4:30 p.m. in this western New Mexico community which bills itself as "Indian Capital of the World." He was treated in hospital for buckshot wounds in his side and facial lacerations and bruises. His hospital room was under FBI guard.

As the handcuffed mayor was forced out of his office, he asked, "What are you going to do, Larry, kill me?"

Garcia said Casuse responded, "We're going to march you around the state."

Loretto said Casuse had been in jail in Gallup because of a run-in with the Gallup police. He says that he has tape-recordings of several witnesses to the shoot-out who say they saw Casuse shot by several bullets that were fired into the store as he came out.

Charles Kettel, McKinley County coroner, said Casuse was shot with a .357 magnum revolver and a .38 caliber revolver. He said he planned no inquest. Kettel noted that the week previous to the shooting, Casuse had said that his people "will get together" to eliminate those who exploited Indians. The coroner said that Casuse had shot himself when "his scheme soured."

Some witnesses said that Casuse appeared to be in the act of surrendering when he was shot by police.

About 2,000 people marched from the university to a mortuary March 3 to protest the death of Casuse.

Casuse was president of the Kiva Club at UNM. He was a resident of Mexican Springs on the Navajo Nation. He was also president of Indians Against Exploitation, IAE, the group which has opposed the annual tourist Ceremonial event.

Phil C. Loretto, a friend of Casuse, was equally upset at the whole situation.

"Why did he do it? Why was the thing happening at Wounded Knee? It's simply because nobody listened. Larry tried everything in the system, but nobody paid any attention. Nobody would listen," Loretto said.

Gallup was the scene of a Thanksgiving Day march in 1972, with Indian students from colleges throughout the Southwest and California going on record as opposing the "sacreligious exploitation of Indian religion" at the Gallup Intertribal Ceremonial. At the march, 14 year-old Diane Beyer was arrested without explanation — a state patrol car pulled alongside the marchers and she was grabbed by an officer. Mitchell Fowler, who asked the reason for the arrest, was also taken into custody.

At that time, Casuse had said, "We were armed only with a drum, signs and our minds against the police force armed with shotguns, pistols, billy clubs, and they arrested a 14-year-old girl for stepping on the pavement of the great state of New Mexico."

The participants in the march were also thoroughly photographed by city, state, and FBI agents. In their zealotry, two state patrol cars sideswiped each other, causing extensive damage to one vehicle.

"There are lots of us like Larry, trying to find our identity," said Glenn Paquin, a close friend of Casuse and a fellow member of the Kiva Club. "Larry didn't know his language and he didn't know his religion — and yet he was an Indian. He felt that the system had done this to us. If the purpose of the system is to turn us into people who don't know who we are, then there is a real problem."

IAE opposed the 'ceremonial' on the grounds that it was not Indian conceived or Indian controlled, and that it exploited Indian culture and people. It charged also that the Gallup police were brutal to Navajo people, and the traders and merchants exploited poor peoples.

"IAE does speak for a lot more Indian people than we are given credit for. We are not that tiny isolated band of professional rabble-rousers and hall-raisers that the Gallup Independent has led many people to believe we are," the IAE Central Committee, of which Casuse was a member, said in a statement last Autumn. "Despite what the press may say about us, we are a group of individuals concerned with the interests and welfare of our Indian people."

An unnamed spokesman for the Kiva Club said that Casuse had often told him that "if we are to save humanity, we are going to have to return to our people

and become Indians spiritually." He also said Casuse had told him their reasons for surviving "was not to conquer nature, but to be the protectors of nature."

Frederick Martinez, a room-mate of Casuse's at the University of New Mexico, said, "Our elders have taught us that we must understand the people who inflict the pain and we can snicker at them. That inflicts more pain than a gun and that pain lives on forever. Larry told us that and he died. Garcia may be held as a hero now, but Larry understood him and that is always going to bother Garcia. That is what is going to conquer people like Emmett Garcia."

The Hospital Takeover

The killing of Larry Casuse was not the only indication that Gallup had of unrest of native people. On January 29, four persons took over the Gallup U.S. Public Health Service Hospital for about seven hours to dramatize the lack of health care for Indians.

The group was armed, but eventually surrendered in the administrative wing they had held without any shots being fired. After being jailed for several days, they were released on their own recognizance to face trial at a later date.

Victor Cutnose and his brother, John Cutnose, of the Cheyenne Nation, and Woody Foster and Michael Upshaw of the Navajo Nation were indicted on charges of six counts each of aggravated assault. Samuel Fletcher and Richard Giron, who were covering the situation for a native newspaper, were each indicted on one count of criminal trespass. Victor Cutnose had been employed in the hospital's housekeeping department.

The men said they surrendered when some hospital staff members were reluctant to enter the hospital, and they said they didn't want to jeopardize health care. The men spent most of their time near the hospital switchboard.



Bob Nakaidinae
... to be tried
July 23 for
kidnapping

In mid-April, the Gallup Inter-Tribal Indian Ceremonial Association announced that for the first time in its 51-year history, the week-long event will not be held.

There was no mention made of the climate in Gallup, or of Casuse. Instead, Edward Merry, director of the exposition, said the decision had been made because of "totally inadequate facilities to accommodate it." (Thanks to Associated Press, United Press International, and the New York Times News Service for this information.)

Communications and legal funds for Robert Nakaidinae can be sent to c/o Phil Loretto, Gallup Indian Commission, 200 West Maxwell, Gallup, New Mexico 87501. A memorial fund for Larry Casuse is administered by the Kiva Club, 1812 Las Lomas Road, NE, Albuquerque New Mexico 87106.

(This article on the death of Larry Casuse and the situation in Gallup, New Mexico, is by Calvin Trillin, and was printed in the May 12 issue of The New Yorker magazine. We are grateful to him and to the New Yorker for his report.)

PETE DERIZOTIS, City Alcoholism Coordinator. I was in the Mayor's office ... somebody knocked ... I opened the door. It was Larry Casuse and another Indian fellow. —Radio station KGAK live coverage, from the street in front of Stearn's sporting goods store, March 1, 1973.

In Gallup, it was taken for granted that employees of the city government would recognize Larry Casuse on sight. A couple of years before, he had been just another one of the Navajo students at Gallup High School — a bright, husky, energetic boy who served as an aggressive linebacker on the football team and as an officer of "The Indian Club." Unlike a lot of students who had grown up on or near the huge Navajo reservation that Gallup serves as a trading center, he had brought little first-hand knowledge to the Indian Club's study of Indian ceremonial [dress] and Indian dances.

"WAIT A MINUTE! LISTEN TO ME!"



In a city where radio advertisements for pickuptrucks are in Navajo, he spoke only English. Among students whose brothers returning from Vietnam were likely to have felt the need for an Enemy Way Ceremony, he was accustomed to only Roman Catholic rituals. His father, a Navajo from the reservation town of Mexican Springs, had married an Austrian woman while serving in the Army, and had then settled near Silver City, New Mexico, far from the reservation, where he found work in the cooper mines and raised his children among non-Indians.

In high school, Larry had spent a lot of time on Indian Club work — making costumes, helping to organize the first Gallup High School powwow, and when he went to the University of New Mexico in the fall of 1971, he joined the Kiva Club, an Indian cultural and social or-

ganization that had been best known for its sponsorship of an annual dance. When he became president of the Kiva Club last fall, its interests began to turn from dances to such questions as whether the university's textbooks presented a true version of Indian history, and whether the advertisement of a local merchant was insulting to Indians.

By that time, he had also been active for several months in Indians Against Exploitation, a group of young Navajos in Gallup who had organized to protest the Gallup Inter-Tribal Indian Ceremonial on the ground that it was a white-run business operation that made money for whites by presenting Indian religion in a cheapened form for the entertainment of tourists. IAE had expanded its criticisms to include the way Gallup treated the Indians who came in to trade and the Indians who came in to drink, and Larry

Casuse had been to City Hall before to complain or demand or condemn.

When the State Commission on the Bicentennial Celebration met in Gallup in January, Casuse had been one of the young Indians who appeared to say that the money should be spent not for celebrations, but for people in need. When Pete Derizotis opened the door of the Mayor's office on March 1st, the Larry Casuse he recognized had the look of an "Indian militant" — bluejeans, long black hair, a red bandanna worn as a headband.

DERIZOTIS: They say they want to see the Mayor. I say they will have to wait — he's in a meeting at this time. So the Mayor hollered, "No, let 'em come in. Let 'em come in." So I let 'em come in. So Casuse pulled his gun right away ...

A lot of people who knew Larry Casuse were astounded to hear that he had pulled a gun on anyone. Young Navajos of the type active in IAE have organically gone in for peaceful, even dignified, protest. At the Gallup Ceremonial in August, 1971, when it was clear that the

most effective tactics would have been to create enough raucous harassment to frighten away the tourists, IAE was interested only in a silent, almost funereal march. As far as anyone knew, Larry Casuse had not even been familiar with guns.

There were varying speculations as to what might have caused him suddenly to take up arms. Some sympathetic whites believed that he might have, in the words of one of them, flipped out.

Everyone agreed that he had been particularly upset by an accident in which, while driving toward Gallup at three or four in the morning, he struck and killed a young Navajo woman who had apparently wandered onto the highway. He had been tried twice on a charge of not rendering proper assistance — the prosecution and Casuse differed basically on whether, just before his car became mired on a side road and he pounded on the door of a state policeman's house, he had been searching for help or trying to dispose of the body. A hung jury on the second trial stood eleven to one for conviction. A date for a third trial had just been set. Casuse's remorse about the accident was such that he could not speak of it without weeping. But he believed that the criminal charge was a matter of the authorities punishing him for his political beliefs, and those who shared the beliefs tended to agree.

In the view of a lot of his Navajo friends, Casuse decided to do something as drastic as abducting the Mayor, not out of insanity, but merely out of impatience and frustration. A lot of people who knew him at the university describe him as someone who "couldn't sit still." He was apparently becoming more and more impatient with the lack of effect the efforts of the young Indians seemed to have. He was frustrated, his friends say, about his inability to focus attention on conditions in Gallup.

In the opinion of one young Navajo who knew him at the university, "He thought he would have to utilize the white man's way of doing things to get anything done — just to shake people up enough to get a few lines in the paper, to grab people in midair and say, 'Wait a minute! Listen to me!'"

REPORTER: How did the activity change places over here to the sporting goods store?

DERIZOTIS: With a gun right to the head, he escorted the Mayor all the way down. They broke the glass door and they entered.

Casuse said nothing that would have made it clear what he intended to do with the Mayor. One of his friends from IAE thinks Casuse obviously intended to hold the Mayor hostage as a way of negotiating for an investigation into Gallup's treatment of Indians, or a compromise on specific demands. Precisely that type of negotiation was taking place at the time at Wounded Knee [which had been occupied two days earlier.] When students at the Kiva Club are asked what Casuse might have been up to, they tend to base their answer on a remark he apparently made to the Mayor at some point during the abduction — that he was going to march the Mayor around the state. Navajo college students who are politically active tend to talk more than other young demonstrators do about shame and dignity and ridicule. . .

"Larry wanted to show the people that the Mayor deserved no respect," a Navajo girl at the Kiva Club said later. "Larry wanted to humiliate him, to bring him down to the people's level. For a long time, the Indian people have believed that white men are better than they are. I think Larry would have taken him out and walked him through the streets of Gallup — to show it was just a man, to show that the Indian people should be treated with respect."

REPORTER: Did they indicate what their grief was with the Mayor?

DERIZOTIS: No, sir, not at all.

To Larry Casuse, Frankie Garcia was the man who presided over a town that enriched itself on Indians — on their trade, on their artistic talents, on their ceremonies, on their drinking. Even worse, Garcia was a part owner of the Navajo Inn, a package liquor store a few hundred feet from the Navajo Reservation.

The Navajo Inn is a small cinder-block building surrounded by open space and on some paydays, by so many passed-out Navajos that it takes on the appearance of a bunker in a recently-contested battlefield. Frankie Garcia had said that, as one-third owner, he had no control over the way the Navajo Inn was run. He had also argued at times that a liquor store next to the reservation was less dangerous than one in Gallup, 25 miles away — the difference being how many miles a Navajo had to drive drunk to get home.



It is possible to argue, of course, that the Navajo Inn, however grotesque and callous and ugly it might be, is not the real headquarters of the enemy, any more than a Jewish pawnbroker on 125th Street is the real agent of the miseries afflicting black people in Harlem — that blaming the Navajo Inn for the alcoholism problem is no more accurate than blaming tribal prohibition or the Navajo bootleggers who support it. But if the Navajo Inn is only a symptom of the condition the Navajos find themselves in, it is a particularly visible and profitable symptom, and the one most despised among Navajos, who have seen many of their people destroy themselves with alcohol. According to Garcia, the Navajo Inn, just a cinder-block hut miles from the nearest large town, has steadily been the single most profitable liquor store in the state of New Mexico.

Larry Casuse and his friends had become increasingly interested in the traditional Navajo way of thought — a way of life based on man's living in harmony with all that surrounds him. Casuse had written poems and fables about the harm brought by change. He had spent time talking to Navajo medicine men, and had spoken to his mother about wanting to go back to the reservation to live simply in the traditional Navajo way. He and his friends seemed particularly taken with a concept of "false people" — people who pretend to understand, but actually are so lacking in the compassion and sensitivity inherent in the Navajo way that they have a questionable claim on being human beings.

Frankie Garcia, who was chairman of an alcoholism project while profiting from Indian drinking, was their prime example of a false person. Despite that, the governor of New Mexico had, in January, appointed Frankie Garcia to the University of New Mexico Board of Regents.

REPORTER: A man has apparently just been shot and thrown out of the window. We can't tell at this time if it is the Mayor. . . Another shot has been fired. . . and another shot. . . Chief Gonzales has a rifle.

The University of New Mexico student newspaper printed some editorials critical of Garcia's appointment. The student senate, after hearing a speech about the appointment's being a political payoff and while a doll representing Garcia was burned, passed a resolution calling for "a more qualified and suitable candidate." But the strongest opposition was from the Kiva Club, and particularly from its president, Larry Casuse. When Garcia's nomination came before the Rules Committee of the New Mexico Senate, Casuse and some other students went to Santa Fe to testify against it. Casuse had gathered documents and photographs and had circulated a petition.

"The man is an owner of the Navajo Inn where numerous alcoholics are born, yet he ironically is chairman of the alcohol-abuse rehabilitation committee," Casuse told the senators. "Does he not abuse alcohol? Does he not abuse it by selling it to intoxicated persons who often end up in jail or in a morgue from overexposure?" The nomination was approved by the committee — "They were just like stone-faced men," one of the students said. [And it was approved by the Senate.]

When Garcia was about to be sworn in, at a regents' meeting held on the UNM campus in Albuquerque, Casuse stood to ask permission to make a statement, and the permission was politely granted.

Casuse spoke of the charges he had made against Garcia and of the lack of interest exhibited by the Senators.

"These are the type of people who run our government, and these aren't The People — these are the false people," he said. "There's no reason for me to scream or shout. There's no reason for me to bring documents. There's no reason, because you people will just turn your head. There's no reason for that. So what we're going to do is — we're going to find all the human beings in this country in this state, and we're going to get the human beings together and we're going to put an end to people like Emmet Garcia, and we're going to start with Emmet Garcia. We don't really care what you people do. Because you people aren't human beings."

Casuse sat down, and there was scattered applause from his supporters.

And the chairman said, "The second item on the agenda is the swearing in."

REPORTER: City Manager Paul McCollum, can you give us a report on the Mayor's condition?

McCOLLUM: He is all right. . . He came out through the window. . .

REPORTER: Do you know at this time what the grievance is?

McCOLLUM: I have no idea at this time what the grievance might be.

REPORTER: Do you know why they released him [the Mayor]?

McCOLLUM: I think that he must have escaped himself. . .

REPORTER: Shots are continuing to be fired from out of Stearn's Sporting Goods. . . What appears to be a tear-gas bomb has just been shot into Stearn's Sporting Goods.

VOICE: They're going to come out shooting!

REPORTER: They're coming out with their hands on their head. One of them thus far has come out. . . He has been directed by the officers to lie flat. . . His partner in having taken the Mayor hostage remains in Stearn's Sporting Goods Store. . . The police are now pouring into the Stearn's Sporting Goods Store. . . They have now dragged out what appears to be Larry Wayne Casuse. He is covered with blood. . . I am approaching the body. . . From a distance of about thirty feet, Larry Wayne Casuse appears to be dead.

VOICE: Get a blanket.

Eventually, someone did get a blanket. But Larry Casuse's body lay uncovered on the sidewalk in front of Stearn's Sporting Goods store for a while — long enough for the local paper to take a picture of it with three police standing over it like hunters who had just bagged their seasonal deer.



It is speculated that the appearance of the picture on the front page of the Gallup Independent may have had a lot to do with the outrage expressed even by Navajos who ordinarily have no interest in politics and no sympathy for the activist students of Indians Against Exploitation. For whatever reason, it soon became apparent that the incident had made an extraordinary impact on all sorts of Navajos.

A white with wide contacts on the reservation said later, "People I had expected to say, 'Well, he asked for it' said the only thing they couldn't understand is why he didn't kill the Mayor when he had the chance."

The elected chairman of the Navajo Tribal Council, Peter McDonald, a Nixon Republican. . . at first responded to the incident by expressing his shock and sending his sympathies to Garcia, but by the time Larry Casuse's funeral was held McDonald had decided to be among the mourners.

When the Albuquerque Journal did a long piece on the aftermath of Casuse's death, some of the harshest statements about the city of Gallup gathered by its reporter, Scott Beaven, were from the kind of Indians most despised by the young activists — middle-aged Indians who work for the local government or the Bureau of Indian Affairs. A Gallup protest march Casuse had helped organize on Thanksgiving Day had drawn a hundred and twenty-five young people. A march four weeks after his death attracted a couple of thousand Indians of all ages.

The Mayor's injuries — a shotgun wound and some cuts incurred when he leaped out the window — were minor, and it appeared that the incident could only enhance his political career, there being no significant Navajo vote in Gallup. Some citizens were concerned that the shooting might shift the attention of the American Indian Movement from Wounded Knee to Gallup, but Garcia removed the most obvious focus for a demonstration by buying controlling interest in the Navajo Inn and announcing, after a meeting with local Indian groups, that he would close it for thirty days. He made it clear that during the closing he would either sell the store to the Navajo Tribal Council at a reasonable price so that it could be closed permanently, or move the license into Gallup.



To the surprise of just about everyone, Frankie Garcia lost the election. The defeat is now usually explained as having been caused by Garcia's apparent reluctance to campaign and by the possibility that Gallup voters had begun to associate Garcia with Indian trouble, and figured the trouble might stop if he was no longer there to provoke it. Garcia himself singles out the huge Indian march on the Saturday before the election as the most damaging factor in the campaign. The people in Gallup who were working for an alcoholism-rehabilitation center tend to believe that there is less chance of having one with Garcia no longer present to push the project, although the general cutback in federal funds for such programs made the prospect of an elaborate center highly unlikely anyway.

The tribe could still buy the Navajo Inn, but Garcia now sees no reason to accept anything but a good price for it. If a profitable arrangement cannot be made with the tribe, Garcia told a visitor recently, he plans to leave the Navajo Inn right where it is and make as much money as possible from it.

"I've gone strictly business now," he said. In that spirit, he has decided to resign from the University of New Mexico Board of Regents.

Gallup officials said Larry Casuse had shot himself, although they also said that a bullet wound inflicted by the police would have killed him anyway. Some white sympathizers thought suicide was a possibility — "After all, the whole thing was suicidal," one of them said — but Casuse's Navajo friends said suicide was out of the question since it was contrary to the Navajo beliefs he had come to hold important.

A flyer announcing a march just after his death was headed, "Was Larry Casuse Murdered?" and some Indian groups demanded an investigation. But a statement from the Kiva Club — addressed to "All Human Beings" — said, "The real issue is not who-shot-whom, as the national media seem to imply, but rather why Larry Casuse would so willingly sacrifice his life in order to communicate with the world his dream of unifying human beings with Mother Earth, the Universe, and Humanity."

REPORTER: There is speculation that the Mayor has been wounded, but he has been taken to his family and is apparently all right.

"RED POWER, BLACK POWER, TUSCARORA POWER."

The native peoples of North Carolina are on the move once more.

Protests which began in the home country of the Lumbee and Tuscarora peoples in early March over the situation at Wounded Knee soon switched over to protests over local grievances.

There are two major issues: recognition of the Tuscaroras as a people, and an end to the "double-voting" system in Robeson County which removes control over schools attended predominately by Indian children from the hands of Indian parents.

The protests resulted in massive arrests, retaliations by the Ku Klux Klan, burning of buildings, marches on the state capital.

According to Robert Magnum, an Indian leader, "There is a growing awareness in the past year of injustice, along with a growing sense of expectation. There is a real sense of frustration. Things could get worse if there is no change — it could be chaotic."

On March 6, a Wounded Knee protest ended up with windows broken in 16 stores in Lumberton, the county seat. There were 12 arrests.

About 100 Indians, riding in cars and trucks, circled the courthouse honking horns. The area had been closed, and officers armed with shotguns stood atop the courthouse steps. Then the caravan moved downtown, where some windows were smashed.

City police, sheriff's deputies, and state highway patrol, all carrying riot equipment, quickly moved in. One truck carrying Indians was rammed by a police car to cause it to stop. All those arrested were charged with malicious damage. Three police cars were damaged in the effort to break up the demonstration.

"They had a riot, in other words," police dispatcher Ben Smith told reporters.

The last time there had been an "Indian uprising" in this area was in 1957, when native people raided a Ku Klux Klan rally and cross burning, chasing the Klansmen from a pasture with warwhoops and scattered gunfire.

Then, shortly before midnight, a building adjacent to a predominately Indian school — the Magnolia School — was damaged by fire. The school, about five miles north of Lumberton, has been the scene of unrest for several months, with student demands for a change in administration. How the fire was started is not known.

The school voting issue is not complicated. At one time, the schools were 100% Indian, but with white control. Then came the desegregation laws, and the schools were integrated, although still remaining predominately Indian in student population. However, the little influence Indian parents had on the education of their children completely ended. White voters in the city vote in both city and county elections, insuring white control, while county voters — meaning mostly Indians — can vote only in county elections.

Then there is the issue of whether the people will be organized as Lumbees under a placid almost non-existent governing body, or as Tuscaroras with a long cultural and political history. Those arrested in the demonstration said they were Tuscaroras: Ertle Deese, Johnny Jacobs, Elois Emanuel, Jerry Locklear, Jesse James Locklear, Norman Barton, Roy Locklear, and Cranston Locklear, all of the Rowland, N.C., area.

Somewhat taken aback at this "new militancy" from the native people of the area, whose usual strategy has been to acculturate and "get along", a local newspaper editorialized that the "ferment among the North Carolina Indian groups should be taken seriously by those in authority, by state and local governments. Evenhanded attention and fair play is doubly important in this time of dissension and tensions.



Two days later, there was a rowdy demonstration in which a major highway was blocked, and hapless motorists finding their cars pounded on by fists and debris. Brooky later disclaimed responsibility for this event, blaming it on "a bunch of drunks" and warned that no intoxicated people would be allowed to participate in any meetings or demonstrations sponsored by the Tuscaroras.



Demonstrating Tuscaroras and their supporters in Raleigh . . . breaking down the barriers that divide —UPI

Brooks said, "I love my people, and I want them to see something good. But they won't do it with a bunch of drunks. A fool is still a fool, even if he is an Indian."

The same night, there was a fire at the old Hopewell School in a wooden building erected and owned by Indians until their children were absorbed by the public school system during the days of integration. It had been used more recently for food-stamp administration and other community programs — including a meeting hall for the Tuscaroras.

The Burning of Old Main

Several months ago, Robeson County Indians raised a strong and successful protest to save the Old Main building on the Pembroke State University campus at Pembroke, N.C. The structure had been threatened with destruction by state officials, in order to make room for a new gymnasium.

The building had historical significance, and deep emotional meaning. Old Main was built by the Indians in 1923 as the first building at Pembroke College, at that time a private exclusively Indian school. With desegregation, it was incorporated into the North Carolina State University system, and now only about 10% of the student body is Indian on an enlarged campus.

But on March 18, Old Main was destroyed by arsonists. At least ten fires were started in the building at about dawn. Robeson County Indians believe the building was burned by whites in retaliation for the growing Indian militancy in the area.

Howard Brooks said the rubble of the fire should be left just as is as a monument to the evils of intolerance. North Carolina governor Jim Holshouser came to the scene of the fire, and standing in the ashes, told the crowd of 300 that had gathered that the state would pay a reward of \$5,000 for information leading to the conviction of the arsonists. He also promised to try to find funds to restore the building.

By evening, a group of 200 people still remained in a vigil. A few years ago, Pembroke looked like any other rural North Carolina village. But this crowd was different: many had their hair in braids, or wore feathers, or other distinctly Indian garb. And there was some dancing and singing, breaking a silence of more than a century.

For a time, Indian culture seemed extinct. The native people of the area were designated as "Cherokee Indians of Robeson County" by the North Carolina Legislature in 1913. Then, after a referendum in 1952, the name was changed to the "Lumbees" after the nickname from the nearby Lumberton River. Some say the people are descendants of the Lost Colony of Roanoke which disappeared without a trace in 1588. Others say the group is an amalgamation of tribal people left over when the Trail of Tears moved southeastern Indians to Oklahoma — but Scotch settlers as early as 1730 found a large group of "Indians" speaking English, farming, and practicing English customs.

The Tuscaroras, as a nation, were forced from the Carolinas in the early 1700s and were given shelter by the Iroquois Confederacy. It is certain that many individuals must have remained behind, however, in the migration to the Niagara Falls area.

Massive Arrests Include AIM Coordinator

On March 23, heavily-armed state highway patrolmen and Robeson County sheriff's officers arrested 65 demonstrating Tuscaroras in front of the Prospect School in Pembroke following a seven-hour standoff.

The Indian group had requested the use of the school auditorium for a speech by Vern Bellecourt, AIM national coordinator, about the situation at Wounded Knee. The principal refused.

Brooks said earlier in the day he would not be denied. "I've helped build Prospect School with my own hands," he said. Indians had owned and operated 27 schools — including Prospect — before they were absorbed into the county system.

Young Allen, superintendent of county schools, said that the Prospect Advisory Board had voted three to two not to allow the group access to the building.

By 7 p.m., Indians and police had faced off across the rural paved road in front of the school, approximately five miles north of the town of Pembroke.

Ed Young, the lieutenant in charge of the state highway patrol at the site, said that after midnight things got boisterous, and the Indians "started using more and more profanity. When they started throwing bottles at us, I talked with the solicitor and he said it was no longer a lawful assembly." Young then read the Riot Act and ordered the crowd to disperse.

The crowd did move — to nearby private property. The police still moved in, and the arrests followed.

During the evening, Dr. Marvin Barrett, a black lawyer and minister from Raleigh, arrived and made an impassioned speech pledging black support to the cause at Wounded Knee.

"We are all pleased that our brothers in the eastern tribes have been able to hold on to the little culture, little tradition, and little dignity allowed them," Barrett said.

Those arrested were taken to the county jail in a prison bus. They included six women. Most were released on bail the following day. Charges were generally unlawful assembly, with some charged with drunkenness. Brooks was charged with inciting a riot, and Dave Chief was held on \$5,000 bail for possession of a concealed weapon. There were some injuries during the arrests.

The police had some unwanted help from local Indians who said they were "on the side of the Lord" — one man drunkenly fired a pistol into the crowd before he agreed to give up his gun.

More Barns are Burned Down

A rash of fires was breaking out. One fire was set at an old store building at Wakulla, and two abandoned houses gave in to the torch. After the mass arrests, two barns were burned, bringing to a total of 16 the number of farm structures destroyed by fire within a three-week period. An old frame dormitory across from the Philadelphus School went up in flames.

"You Are Entering Klan Country"

In early April, the Tuscaroras decided to take their campaign to Raleigh, the state capital, and to camp there "until such time as the government indicates it is ready to deal with our grievances seriously."

The march began in the town of Pembroke on April 4, and proceeded on to Lumberton and Fayetteville. Alternately walking and riding in cars and trucks, their numbers varied from 60 to 200.

On April 7 they came to Smithfield, a stronghold of the Ku Klux Klan. (A large highway billboard in the area welcomes interstate travellers to "Klan country.") In a nonviolent confrontation, they were charged with parading without a permit, and police chief B.P. Jones and his men loaded about 60 adults on one bus and 70 juveniles on another to transport them to the town hall and county courthouse.

Among those arrested was black activist Golden Frinks, who police say had led groups to Smithfield on other occasions and should have been aware that a town ordinance requires a 24-hour waiting period before a parade permit can be issued. The chief said he offered to permit the group to pass through town walking on sidewalks, but he was refused.

The demonstration, led by Howard Brooks in a feathered headdress, and including some ponies, was halted by a double line of police carrying riot sticks and blocking highway 301.

The children were released later in the afternoon, and 62 persons spent the night in jail. The freed marchers went to a Smithfield church, where they were joined by members of the Prisoners Solidarity Committee and people from the Duke University community at Durham.

The next morning, the "detained" Indians were released, a parade permit was issued, and the march, now 300 strong, continued to Raleigh.

As the march entered Raleigh, it was joined by more people, many of them blacks. Soon, there were more blacks than Indians, and they marched on to the capitol building chanting, "Red Power, Black Power, Tuscarora Power."

Governor Holshouser earlier had turned down Brooks request to call a meeting of the state Indian Commission to hear the Tuscarora demands. The governor said he had been meeting with the "established Indian leaders" and that Brooks did not have a substantial following.



"Will the Real Tuscaroras Please Stand Up?"

There is another group of people who are not happy with being called Lumbees, and who also seek recognition as Tuscaroras. They are called the Eastern Carolina Tuscarora Indian Organization (ECTIO), and they have filed suit in federal court seeking to have the Department of the Interior declare them eligible for recognition under the Indian Reorganization Act.

Carnell Locklear, secretary of ECTIO, had preferred the court route, and would be regarded as rather moderate in his views. He expressed the hope that "our people will come together and unite. We're all fighting for the same causes. We need to keep pride and jealousy from among us."

Brooks, on the other hand, charges that Locklear has had \$340,000 in grants and direct donations since the group's inception in 1970, and that ECTIO is part of a government strategy "to divide and destroy." Gov. Holshouser refused to see Brooks and his people when they arrived in Raleigh, saying that Locklear was the true Tuscarora leader.

The presence of American Indian Movement people has caused many of the rank and file to worry that a Wounded Knee situation may develop in North Carolina. And many of the Lumbees, who have a reputation as anti-black, worry about the support the Tuscaroras have received from black activists.

Golden Frinks, however, says there should be nothing to worry about — the blacks aren't interested in taking over the Indian movement. Frinks, national field secretary for the Southern Christian Leadership Conference, says, "We're breaking down all those old barriers that have divided the people in this region. This movement belongs to all the people who realize that their rights have been denied by the white elite. But we don't blame all white people — just the commercial interests who run this county and hurt everyone, including the poor whites."

Brooks obviously wasn't worrying and welcomed outside support. He felt the situation of his people was desperate.

"This movement is our last chance to make it through as a distinctive culture group," Brooks said. "Either we are going to be Tuscarora, or we're going to disappear as hidden, second-class citizens in white man's America."

The Governor Grows Impatient

The Tuscaroras started camping out on the steps of the State Indian Commission when it became obvious that they were going to be ignored. But on April 18, the group, now numbering about 20, were arrested when police moved in 15 minutes after state officials told the Tuscaroras to get off state property. Among those arrested were Howard Brooks and Golden Frinks.

The night before, the state's General Assembly, in an effort to duck the question of dual voting, agreed to give Indians two seats on the county school board, still keeping them in a minority position.

Earlier, chief W.R. Richardson of the Haliwa people, chairman of the state's Indian commission, had issued a statement that he was willing to meet with Brooks, but would not do so if Brooks brought the black civil rights leader — or a white attorney — with him.

But Brooks took the issue to court, asking that the governor be barred from interfering with the operations of the Indian Commission, to get an order for the commission to meet at the earliest practical time, and for damages to be paid to him and the others.

The court ruled favorably on the petition, and officials were forced to release Brooks from jail so he could attend the ordered session with the Indian Commission. Although a caravan was organized to allow many persons to attend the meeting, only seven Tuscaroras were allowed in. A further meeting was scheduled at a time and place when all concerned parties could sit in.

The BIA Documents are Found

Aside from all this, there had been excitement among the native peoples of Robeson County when a batch of BIA documents was recovered in the vicinity, documents which had been removed from the capital of the U.S. during the occupation of the BIA headquarters last November.

While the Raleigh demonstrations were in progress, Robeson County sheriff's deputies seized another 29 boxes of documents found in the loft of an old abandoned farmhouse about four miles north of Maxton, Junior (Pap) Locklear, Keever Locklear, and Elias Rogers. The men are all active with ECTIO — in fact, Elias Rogers is chief of the organization.

The three are charged with interfering with the FBI agents who went to the homes of the two Locklears April 9 to seize the documents, weighing about five tons.

FBI agent Michael Kazmier of Fayetteville, N.C., said that although the house where most of the documents were found was empty when they arrived, the three men arrived on the scene. Doctor Locklear went inside the house, and a short time later came out with a shotgun "held parallel to the ground."

A sheriff's deputy standing nearby, Garth Locklear, shouted a warning, and fired a shot which hit the house, Kazmier said. Doctor Locklear ducked back into the house and slammed the door. Later, a deputy entered the home and Doctor Locklear agreed to surrender.

There were other arrests, too. Leon Locklear, 21, of Pembroke; Roy Lee Deese, 31, of Maxton; and Larry Blacksmith, an AIM member from Oklahoma, were held in lieu of \$15,000 bond each on charges that they



—Fayetteville Observer/Dick Blount photo
Elias Rogers, Tuscarora official . . . under FBI arrest

burned a store in Pates, a community on the western fringe of Pembroke. Robeson Deputy Sheriff Hubert Stone alleged that the three had confessed to setting fire to Joe's Cash Store March 18 by using a molotov cocktail. They were also charged, along with David Chief of Rapid City, South Dakota, with shooting into the home of Carnell Locklear of ECTIO on March 16.

Also arrested on arson charges were Sandy Locklear, 36, and Martin Clark, 24, of Red Springs. They are held on \$10,000 bond each and charged with setting a number of barn fires. It was unclear which faction, if any, they belonged to.

The loss of "valuable" records in the Trail of Broken Treaties about which the Interior Department had cried so bitterly have turned out to be not so important after all — at least, not to BIA operations.

"Generally, we have concluded that the record losses were not great enough to impede Bureau operations," a BIA internal report says. And these North Carolina documents seized will be held by the Justice Department until after the trials — as evidence — and the BIA won't even be allowed to make photo-copies.

In an apparent effort to round up "outside Indians," arrests were also made on felony charges of Mike Wolf and Bill Sargent, who at this time are still in jail. Finding attorneys willing to defend them has been difficult.

(Thanks to information from Larry Aaronspere, United Press International, Teddi Lane of the Great Speckled Bird, The Carolina Indian Voice, C.E. McLaurin of the Robesonian, John Coit of the Raleigh News and Observer, Race Relations Reporter, Rick Brown of the Fayetteville Observer, and the Associated Press.)



Documents liberated from the BIA, recovered by the FBI . . . "record losses did not impede operations."

Oklahoma



THE PAWNEE EXPERIENCE

Pawnee is one small Northern Oklahoma city that is still tense as a result of activities here in 1972.

A few of the 2,500 residents, like George Gardipe, the only paid employee of the Pawnee Indian tribal business council, still keep a gun within their reach.

Non-Indians, and establishment Indians, blame the tension and hard feelings on 'outsiders' with the AIM largely to blame.

The first issue of the year, and the first rumors of violence, centered on a school-board election last January, 1972. Mrs. Lilly Cummings, a Pawnee and AIM member, was defeated by a 3-1 margin by Tye Burnett, a non-Indian employee of the BIA. He resigned at the first meeting, and another non-Indian was appointed.

The second issue was a court challenge of the Pawnee school dress code on grounds that bans on long hair violated the constitutional rights of Indians to maintain their heritage.

Mrs. Cummings was in the spotlight again since her 13-year-old son, Lloyd, was one of four Indian and two white boys sent home from school with orders to get hair cuts. The two white boys and one Indian youth did. Mrs. Cummings, her husband Lloyd, and parents of the other youths took the matter to federal court. A temporary restraining order was issued against the school board, allowing the boys back in school in May so long as their hair was braided.

However, the judge dismissed the case in August, with the ruling that the dress code did not violate any constitutional rights. On opening day of the fall school term, 17 youths, including Lloyd, were sent home for hair cuts. When a federal judge refused to hear the case, Mrs. Cummings filed an appeal with the 10th Circuit Court of Appeals. She lost in late May, with the court ruling that short hair "instilled pride and initiative lending to high school spirit and morale."

However, tension rose when the judge allowed the boys back in school. About 50 townspeople assembled near the school "to make sure they [AIM members] didn't take over our school," as one 'citizen' said.

Then, in late summer, up to 100 AIM members, most from outside Pawnee, camped on the Pawnee tribal grounds east of town. During the few months of their presence, Pawnee Mayor Glen Wood said he received almost nightly threats that City Hall would be blown up. Two Pawnee residents were found beaten near the camp grounds. Area residents reported they were disgusted, and alleged all-night drum beating, drinking.

In mid-September, about 40 Indians took over the local BIA office in protest of alleged misuse of Johnson-O'Malley educational funds in the schools. Local law enforcement officials responded by surrounding the building. No one was injured, and the AIM members left when negotiations had been completed.

Finally, in December, several area youths were charged with stealing and desecrating two American flags in nearby Cleveland.

During the year, the Pawnee Indian tribal council split in a dispute over two 20-acre tracts of land the tribe has tried for many years to reclaim from the city.

The land in contention is a 20-acre water well site and a 20-acre site of the Pawnee Indian School which closed in 1958 after 82 years of operation.

When the school was closed by the BIA, the land was declared surplus and given to the city on the condition that it be used for a public service. Horse Chief says that the land was illegally taken from the tribe because it was given to the city by a BIA ruling, not by a manner specified in the treaties.

For nearly a decade, the tribe has tried to get the land back. The only apparent hold up was a 99-year-lease the city had signed with the Good Samaritan Nursing Home. When the nursing home decided to leave in April, Tommy Chapman and city officials reached a tentative agreement on returning the land to the Indians. The city rejected the first release, and Lloyd Cummings, council secretary, refused to sign the second release until all councilmen had seen it.

Then began a series of secret meetings by Cummings, Horsechief, Owen Echohawk, Austin Realrider, and Harold Morgan. They claimed a quorum of the council and ousted Chapman as chairman at their first meeting.

Chapman and the other councilmen countered by removing the "Secret Five" from the council. Neither boy recognizes the other as the legal council. The city has since given up any claim to the land, but neither council can accept the land until the court cases are settled.

In December, when Hank Howell visited Pawnee, his home area, he called it 'the cesspool of Oklahoma' because of its attitude and treatment of Indians.

"We in Pawnee have been given a name. But do you know why? It's because we dared Carter Camp to come out and take us over," said Bob Sanders, owner of a local market. "There would have been bloodshed. If that's the reason we're a cesspool then we're proud of it," he said.

J.W. Casper, a town car dealer, said that Pawnee would not 'tolerate' AIM setting up their national headquarters in the community.

Most white persons in Pawnee say that they're not against Indians, just militant Indians. "If you're a militant, forget it," says George Gardipe.

The mayor acknowledges that few Indians are employed in business or city offices along the square in Pawnee. He said that was because the Indians "didn't apply."

"There aren't many job opportunities in a small town like this," the mayor said. "The Indians who have fairly decent educations and can't find jobs move off. So many of the Indians have such a drinking problem, they're not dependable."

Mayor Wood and Gardipe say that the Indians have not made a strong effort to become part of the community.

The Indians who charge discrimination say it is so subtle that an attorney would have a difficulty in making a court case of it. One young Indian man said police officers stop to talk with him just to see if he has been drinking. He says the police arrest the drinking Indians but not the drinking non-Indians.

Even Mayor Wood says that 90 per cent of the arrests in Pawnee are of Indians, usually for drinking.



RACIST OKLAHOMA "UP-TIGHT" OVER PROPOSED A.I.M. CONVENTION IN PAWNEE

Pawnee, Oklahoma — Oklahoma people got all hysterical this spring over the possibility that the American Indian Movement was going to have its convention here.

As it turned out, the convention was postponed because of the continuing occupation at Wounded Knee — and now there is the possibility that it will be held elsewhere.

The Trail of Broken Treaties had hardly returned from the BIA headquarters in Washington, D.C., when Dennis Banks announced the establishment of an AIM field office in Pawnee to lay the groundwork for the national convention. A May 1 date was tentatively set, and a casual estimate of 3500 delegates was mentioned.

Until March, there was little activity, and attention focused on Hammon, Oklahoma, where a school dispute heightened tensions. Then on March 10, an AIM statewide convention was held, with only about 50 persons in attendance. The Wounded Knee occupation was in its twelfth day.

There wasn't even much rhetoric at the convention. Martha Grass, a Ponca leader from Marland, urged the group to "do something to better ourselves. Don't sleep because the white man doesn't sleep."

Joe Mohojah of Pawhuska, the state AIM coordinator, said that "when our people ask for help we will go. The demands of our people will be met." Vern Bellecourt said that AIM was planning a massive lobbying effort in the nation's capital. The talk, though, that got the attention was the simple announcement that the national convention would still be in Pawnee May 1.

Pawnee mayor Glenn Wood wasn't happy with the news. "With everything else that has been going on it sort of makes everybody sort of shake their head," Wood said. "The attitude of the town toward AIM is not very good," although, he added, "the attitude in the town for the local Pawnee tribe and the people who live here all the time is excellent."

Last year, there was an AIM protest in Pawnee, where the BIA maintains an office. While native peoples and BIA officials negotiated inside the office, local police panicked and surrounded the building with a shot-gun cordon.



—AP
Joe Mohojah (right), Vern Atkins and Don Neconie of AIM... speaking to students at Oklahoma State University in Stillwater.

"I don't want anymore of these militant confrontations — they get pretty ticklish," Wood said. "You can get people worked up pretty soon where they become a problem too."

Don Neconie, an Oklahoma AIM spokesman, said the town officials need not be concerned — the meetings would be held at the Pawnee tribal campgrounds outside the town limits.

William Hall, Pawnee county district attorney, noted that both AIM members and Pawnee residents have "strong feelings." He said that he would enforce the law strictly and impartially. "As long as the AIM convention is a peaceful assembly, they will receive the complete cooperation of my office," he said.

The local newspaper, *The Pawnee Chief*, was more inflammatory. Editor Jo O. Ferguson wrote:

"Get ready!... for the biggest invasion of Indians since the Pawnee tribesmen came from Nebraska 100

years ago. The warriors and their squaws from AIM are coming... Shall we welcome them or shall we treat them as unwelcome invaders? That's the question that pesters us now... If they are the kind of Indians like our neighbors with whom we have lived these many years, they will be welcome. But... we don't welcome the return to Pawnee of that little band of outlaws who took over the BIA office in Pawnee..."

Gradually, the feeling of tensions rose. Already, the BIA office remained locked throughout the day. One of two security guards unlocked the door for each person seeking entry, and all visitors were required to enter their names on a register.

Lillie Cummings who operates a gift shop in the town's business area, said "investigators" had been around questioning her — she is known for her outspoken views. When she asked them for identification, they replied they worked for "Campbell Soup"

and were just looking at Indian curios. The front window of her store had been painted black by vandals a few days after she started displaying a sign, "We Support Wounded Knee."

"I'm going to leave the paint there," Mrs. Cunningham said. "It's a bad reflection on whoever did it." She said she hoped that the white people who "are sympathetic to our problems will stand up and let it be known."

Two of Mrs. Cunningham's sons, Lawrence, 12, and Lloyd, 14, were expelled from the Pawnee school because they insist on wearing their hair in braids. School dress codes say hair can't touch the collar — and the 10th circuit court of appeals in Denver ruled in May that the school board restriction is valid.

The Two Sets of Chiefs

An understanding of Pawnee tribal politics is necessary to figure out maneuvering which took place in April over AIM's use of the Pawnee tribal campgrounds.

There are two factions. One, which could be considered sympathetic to AIM, consists of Austin Realrider, council president, and Owen Echohawk, Lloyd Cummings, Delbert Horsechief Jr. and Harold Morgan. This faction is recognized by the Bureau of Indian Affairs as the legally elected council.

Then there is the faction headed by Thomas Chapman Jr., who says he is the tribal council president. And he has a ruling from an Oklahoma state court to back him up. He is anti-AIM. The whole dispute is a subject of a federal court case filed by the Department of the Interior, who certainly must have mixed feelings in the matter.

In early April, the Chapman faction met and barred AIM from use of the campground in an effort to counter the invitation issued by the Realrider faction. As Dick Wilson, Oglala tribal council chairman usually says, Chapman claimed the action was taken "at the request of the huge majority of local tribal members."

Realrider met Chapman's statement with a request for federal marshals and BIA support to see that the convention comes off as planned.

Meanwhile, federal, state, and local officials met to devise contingency plans to handle every possible emergency they could think of.

District Attorney Hall told the press, "We have made our plans, but I am not at liberty to divulge more, nor to say with whom we have made them."

Don Neconie, speaking for the Oklahoma AIM, issued a statement which was reassuring — and yet upsetting to white residents, unaccustomed to seeing Indians with guns, even though the right is protected in the U.S. Constitution.

"Our intention is to come without violence — but we're not going to be defenseless," Neconie said.

On April 16, about 40 AIM members called on Oklahoma governor David Hall to complain of night-rider activity around Pawnee and the harassment of people like Lillie Cummings.

The governor said they didn't have an appointment, and sent Ed Hardy, press secretary, to meet with the visiting AIM group. Hank Howell, Four Corners chapter AIM coordinator, said that calls to Pawnee police and the highway patrol complaining of the night-riders had been ignored. "We'll send 300 warriors into Pawnee if guarantees of police protection aren't given," he told the official. He was assured that the state will guarantee the safety of "all its citizens." The police said they had received no phone calls.

Lloyd Cummings, however, filed signed complaints with the FBI of an incident in which he said 30 or more shots were fired near his home in the early hours of the morning.

Pawnee reacted to Howell's warning with hysteria. The Headstart school was closed and youngsters were sent home at midmorning. Rumors of caravans of Indians en route to Pawnee were rife — and false.

When the AIM group went to the Pawnee city hall to discuss convention plans with officials, Mike Haney, dressed in braids and Indian attire, was greeted by Mrs. Chris Echo Hawk, a Pawnee who lives in the town of Pawnee, and no friend of AIM's. "Hi," she greeted. "You're in apple country now — but you're a lemon, yellow on the outside and sour inside."

Some of the other more assimilated native people gathered around the city hall to jeer.

"Look how he's dressed," said one woman to her friends. "Our men don't dress like clowns; sure our people have Indian dress which we wear to the dances and powwows, but there's a time and a place for that sort of thing."

The press had its jibes too, describing the dress of the "militants" as "resembling Hollywood pictures of Indians." (*Daily Oklahoman*).

And the *Ponca City News* published a lengthy legal analysis on the rights of citizens to defend themselves. The article was headlined, "You Can Legally Shoot Back, But Never Start the Battle."

AIM spokesmen said that Pawnee residents had bought out all the gun stores — but Mayor Wood said that in reality, guns and ammunition had been taken from the

stores by storeowners and locked up to prevent them from being stolen by AIM members.

Reports circulated that there was a "secret Indian encampment" ready to make a show of strength, but police investigating the rumor found a small, peaceful group of visitors, including Mad Bear of the Tuscarora Nation, who had been thwarted in his efforts to visit Wounded Knee, and had headed for Oklahoma.

In a meeting with Mayor Wood on April 19, AIM officials were not swayed with his appeal to move the convention elsewhere. Wood said the convention would "over-tax the community." However, AIM people pointed out that there is an annual Pawnee pow-wow which regularly attracts thousands of visitors. AIM said it would move onto the 680-acre campground April 27 to clean it up before the May 1-7 convention.

"Due to the events of the past few days and weeks, it is my recommendation that the convention be moved to another area," Wood said. Perhaps knowing his own citizens better than anyone, Wood said, "I don't feel there is any way a peaceable, trouble-free convention can be held."

Newspaper Headlines Spread Panic

The worst fears of Oklahoma white people seemed to be materializing, when the April 23 edition of the *Daily Oklahoman* announced in front-page headlines: "INDIANS WITH GUNS AND AMMUNITION SEIZED"

"From parlor to pulpit, fear mounted this Easter Sunday at Pawnee that violence may be just around the corner as the highway patrol seized 600 rounds of ammunition, five firearms, and arrested six Indian men reportedly enroute to this tense community," read the beginning of the article by staff writer Robert Allen.

Governor Hall called the arrests significant, and asked for the assistance of the FBI. He said the arrests disproved the contention of AIM that their meeting in Pawnee would be peaceful.

He did not comment on an incident the same day in which an airplane buzzed a farm near Yale where a small group of native people are quartered awaiting the convention grounds-cleanup. Authorities said that the airplane was probably just taking target shots at tin cans, and there was no need to worry.

Local and state authorities ringed Pawnee, while residents kept weapons on the ready. An aide to Governor Hall reassured them that he will make all efforts to insure their safety and prevent "this from becoming a Wounded Knee."

Wagoner County prosecutor John Russell said that the six men arrested were Virgil Blake, 24, of Hoopa, California; David O'Neill, 26, of Hoopa; Lawrence Reed, 19, of McKinleyville, California; Richard Johnson, 22, no address; Henry Aubrey Jr., 28, Arcata, California, and Manuel Alvarado, 26, of Hoopa. He said the guns "were loaded" and that one of the occupants was a card-carrying member of AIM. He said also they had a map directing them to a campground between Pawnee and Yale.

Other evidence included a paper cup which a trooper said was tossed from their vehicle, a 1970 camper, and the cup was alleged to have "smelled of beer."

Those arrested denied any connection with the Pawnee meeting. They are all college students at California state University, and on a field trip examining Indian cultural activities in Oklahoma. As for the guns, they said they had hoped to stop in the northern states to hunt elk. The campground directions had been penned by Aubrey's wife, who wanted the men to locate her cousin who was said to be staying at that site.

Highway patrol trooper Gary Rogers said that the men had not given him a "hard time" but that he had felt they were drinking. He forced the men to stand at gunpoint in a driving rain and hail storm for 30 minutes while waiting for a backup trooper to arrive.

Alvarado said the arrests seemed "political" and that the group were "forced to drop our drawers" in the lobby of the courthouse when they arrived there for booking, in the presence of women there. "It was embarrassing," he said.

They said they were due back at school in a week — well before the opening of the convention. But that didn't seem to matter to Oklahoma people, all of whom seemed to be holding on to their scalp.



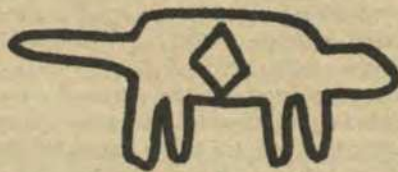
"The Campground Gates Will Be Locked"

Despite the pleas of the local officials, the AIM planning group said the convention would go on. Thomas Chapman said his faction would lock the gates of the campground, but Hank Howell said they would go in just the same and let a court decide later who the real Pawnee council was.

More shots were fired into the small AIM encampment at the ranch of Harold Morgan near Yale. The district attorney said his investigation indicated the shots came from within the camp, but Edward Cabell, a representative of the Community Relations Service of the U.S. Justice Department, who was on the ranch grounds at the time, said the shots came "from across the road." He said about 45 rounds were fired between 9 p.m. and midnight, when he left. He was told there were more shots later in the night. Cabell said he had witnessed the Indians make two calls to authorities after the shooting began, and "I initiated the third call myself." As a result, he said, the district attorney and the sheriff arrived about 11 p.m.

In an editorial, the *Tulsa World* said that the public safety factor was menacing the community, and "that would mean making Pawnee off-limits for AIM and its convention until it could be held in peace." (The editorial appeared beneath the daily thought from the Bible, John 9:2. "Master, who did sin, this man or his parents, that he was born blind?")

On Easter Monday, Pawnee town officials and county law enforcement agents went to Oklahoma City for meetings with the governor. They said the town was tense.



"We're not scared. We're just mad — and we're not going to let any outsiders take over our town," one Pawnee grocer said.

In Washington, Marvin Franklin, an Oklahoma oil company executive now assistant to the secretary of the Interior for Indian Affairs, said that the Bureau of Indian Affairs is doing "absolutely nothing" to prepare for the upcoming AIM convention.

He said that a May 5 election called by the Thomas Chapman faction could not be recognized by the secretary of interior "because the secretary does not recognize Chapman as being president of the Pawnee Business Council."

"They [AIM] have a right to assemble," he told newsmen. "They should have a convention — that's where platforms are drawn up." He said there was "no indication at this time that any confrontation would occur," and that at any rate, state officials had a responsibility to maintain law and order. "The BIA has no more jurisdiction over an AIM convention than we would have over a Kiwanis group," Franklin said.

The *Daily Oklahoman* featured a front-page article on April 25 headed "Reporter Tours Armed Indian Camp Close to Yale" and showing eight rifles leaned up against a building. AIM officials said the guns had been brought in just a week previously when they had started taking gunfire from vigilantes.

AIM Postpones the Convention

AIM officials said on April 26 that the convention would be postponed. The Wounded Knee confrontation was still on, and the federal court has not yet announced its decision on whether a state court could recognize a tribal faction. They said that the postponement was in line with AIM's repeated statements that it seeks a peaceful national convention.

"That pleases me to no end," Mayor Wood said when told of the announcement. The district attorney said it was a "wise move."

In Stillwater, the Oklahoma State University student senate voted 39-1 to invite AIM to hold its convention on university grounds. The matter was forwarded to the OSU administration for consideration. OSU owns Camp Carl Blackwell, eight miles west of Stillwater, and it was indicated that the site would be available.

After the Wounded Knee occupation was over, many of the Oklahoma representatives in South Dakota returned via the Morgan farm at Yale. Martha Grass urged the local paper to publicize that the group was just resting and attending a welcome-home gathering. They are not planning any takeover, she said, hoping to curb the hysteria that seemed to arise in the area when an Indian in long-hair or with a headband was sighted.

The Election Charade

Although the Bureau of Indian Affairs had announced that a tribal election called by Tom Chapman would not be recognized, that faction had an election just the same on May 5. There were 355 persons voting, of which 246 voted for Chapman. A six-man anti-AIM slate also won votes, although there were no pro-AIM candidates in the election, for that faction said that to participate in the election would give recognition to the un-recognized faction. There are about 1100 eligible voters.

Oklahoma had not seen the last of AIM.

(Thanks to information from Ed Montgomery, Robert Allen, and James Johnston of the *Daily Oklahoman*, the *Associated Press*, and Pearl Wittkopp and Windsor Ridenour of the *Tulsa Tribune*, and Doug Hicks of the *Tulsa World*.)

Grand Jury Refuses To Indict 3 In B.I.A. Papers Case



Washington, D.C. — Trail of Broken Treaties officials and a Washington journalist were arrested by FBI men here January 31, but a federal grand jury in February refused to return indictments against those accused.

Hank Adams, 29, an Assiniboine-Sioux, chief negotiator for the Trail, and Anita Collins, a Shoshone/Paiute who is an American Indian Movement publicist, were arrested along with Les Whitten, an assistant to columnist Jack Anderson who had published some of the documents liberated from the BIA confirming federal wrongdoing.

They were charged with illegally receiving documents taken from the Bureau during the BIA takeover last November. All three were arrested at 10:15 a.m. on the street in Washington, and were held in a lockup at the U.S. Courthouse for five hours. They were released after brief appearances before U.S. Magistrate Jean Dwyer. Whitten was released on personal recognizance with no special conditions, Adams was released on personal recognizance with his travel limited to the Washington area, and Ms. Collins was released on an unsecured \$1,000 bond with her travel also restricted.

The boxes had been received by bus in the late evening, picked up by Adams, who called Whitten the following morning to invite him to accompany the return of the documents for an exclusive story.

Whitten's arrest prompted a number of congressmen, the Washington office of the American Civil Liberties Union, and newspaper editors to deplore what they considered an attack on freedom of the press.

Rep. Lloyd Meeds, a Washington State Democrat, who took over as chairman of the House Interior Committee's subcommittee on Indian Affairs, said he had invited Jack Anderson to testify on the matter. Meeds said: "I am extremely upset with the implied harassment and intimidation of the press inherent in Mr. Whitten's arrest," Meeds said. "But our main concern is that the public be aware of the information in the papers before they are once again locked away from public view."

Anderson charged the federal government with 'harassment' of a newsman who had been responsible for stories that were 'embarrassing' to federal officials.

Whitten told reporters upon his release, "I was just out covering the story and I got arrested by the FBI. I hope it doesn't happen to anyone else."

The arrests were made in front of the apartment house where Adams lives. Because Adams does not have an automobile, he was using Whitten's car to transport three cartons of BIA documents back to government hands. FBI agents then went to Adams' apartment to wait for Michael Hunt, an associate of Adams. A reporter who went to the scene found the apartment in disarray.

At the home of Mrs. Collins, FBI agents waited inside the house throughout the afternoon for a search warrant that was not delivered.

The agents sat and listened to tapes of Indian music and chatted with the regular tenants, LaNada Boyer, 26, a Bannock/Shoshone from Idaho who is a student at Antioch Law School, her niece, and the children of the two women. They drank instant coffee, getting up only to follow the women through the house or to trade places with other agents sitting outside in a car.

The agents were impassive externally to the presence of the taped music and sage and cedar incense which burned, or over the fussing of the children.

The agents were accompanied by undercover agent John Arrellano, of Mexican descent, who had posed as an Apache/Pueblo for four months in infiltrating the Trail Caravan. It had been Arrellano himself who had picked up the documents in his car from the Greyhound Express office the previous day and had delivered them to Adams. Adams had examined them during the evening and determined that there was nothing particularly revealing in them.

When Ms. Boyer told him he was a traitor, he replied, "I'm not an Indian — I'm an officer," and he flashed his credentials.

Ms. Boyer and her son, Deynon Means, were among the first 14 Indians who occupied Alcatraz Island in San Francisco Bay on November 20, 1969. They stayed on the rock one year. She hitched boat rides back and forth to the mainland to continue her studies at the University of California at Berkeley. She graduated from Berkeley in December, 1972.

At 4:15 p.m., Senator James Abourezk, a South Dakota Democrat, called for information about what was going on. Ms. Boyer told him the agents were "pacing around, following us to the bathroom, and things like that."



Informer (circled) or Militant? . . . Check the Scorecard

Fellow students from Antioch Law School called and advised the women that they should walk out, and demand that the agents leave too. So, at 4:55 p.m., the four agents, two women, and three children (one still in a cradle board) vacated the apartment. The agents remained outside, explaining that the house was still 'secured'.

The three-story brick row house had also been occupied by Leslie Bacon, once a suspect in the 1971 bombing of the capitol building, and the landlady said she hoped that the FBI wouldn't break down the doors again.

Arrellano knew well that Adams had been trying to get the documents back into government hands, although he also wanted vital information released to Indian people. There is an ABC-TV film in which Adams says that documents will be returned to the government — and Arrellano is shown sitting there, listening.

Jack Anderson says that "certainly, the FBI agents who had been scurrying all over the country in a futile search for the Indian documents. . . knew Adams was trying to collect the stolen documents." Anderson believes that the real purpose behind the arrests was to intimidate newsmen guilty only of embarrassing the Nixon Administration.

After the street arrests, agents then went to Adams' apartment and arrested Daniel Pigeon, 22, of Wittenberg, Wisconsin, and Alison Cerri, of Silver Spring, Maryland. They were held throughout the day but were released at 6 p.m. when the U.S. Attorney's office announced that no charges would be placed against them.

Those arrested were charged under section 641 of the federal criminal code with receiving, concealing, and retaining the three cartons with intent to convert them to their own use, knowing that they were stolen.

Whitten said he and Adams had marked the cartons with the name of Dennis Hyten, the special FBI agent who was working on the investigation of the November lootings of the BIA offices. They planned to drop the cartons off at the BIA with the expectation that they would be brought to Hyten's attention.

It was Hyten who signed the arrest warrants.

Adams said that he was told to deal with the FBI in returning the documents, but was never given any protection from prosecution.

"I would have preferred not to have been the go-between," Adams said. He and lawyers from Native American Legal Defense and Education Fund had talked about instituting a system for the return of liberated documents with White House and FBI officials. "At first I had a commitment from Leonard Garment (an assistant to U.S. President Nixon) to get a meeting to set up such a system, and where we would 'restore calm and normalcy' — those were Garment's words."

He said NALDEF lawyer Terry Sidley and he were told by Hyten there might be some neutral points or agencies where materials could be left with no questions asked. However, no such plan materialized.

Adams said that other documents that had been sent to him had been returned to the FBI, and that he had receipts bearing the name of Hyten. He had also turned over three drawings by Navajo artist R.C. Gorman, a portable dictaphone, and accessories for typewriters — all of which had been receipted by Hyten.

Although the trio were willing to submit to the arrest, they were handcuffed, and later fingerprinted and photographed. However, the FBI declined to furnish them



Les Whitten



Hank Adams

United Press International photos

with photographs of the cartons with the FBI agent's name written on them, for use in their defense.

The Reports Committee for Freedom of the Press, which has taken part in several legal cases involving reporters, issued a statement charging that the arrest of Whitten "is based on the outrageous proposition that information about government activities is property, like an auto, which can be owned by the government. Government information belongs to the public. It is not owned by the Defense Department or the President or the Bureau of Indian Affairs."

On January 11, an article appeared in the New York Times telling of Adams' efforts to get the documents returned. He explained that the proposed study of the files might never take place.

"We had planned to use them to educate our many tribes and to use them in the news media to document Government impropriety," he said. "But unfortunately, the announced study of the documents never took place." He said that poor communications and fear of federal surveillance had resulted in a situation making detailed study impossible.

The Oklahoma Five

Three of five native people charged in a felony indictment with possessing items taken from the BIA during the November takeover pleaded no contest to a reduced charge in late February. They made the plea as U.S. District Court Judge Fred Daugherty prepared to select a jury to hear their case.

Daugherty has asked for a pre-sentence report from probation officers and said he would impose sentences later on Andrea Quiroz of Rialto, California; Whitney Grey of Scottsdale, Arizona, and David Molino of Redlands, California, all 22 years of age.

They entered the pleas after the government and defense attorneys announced agreement to drop the felony part of the charge. The government property allegedly was found in a van occupied by the five and four juveniles which was wrecked near Clinton, Oklahoma, last November 12.

Alida Quiroz, 18-year-old sister of Andrea, and Myron Thomas, 31, of San Francisco, still face charges in the matter.

Kansas City Arrests

The week before the Washington arrests, a federal grand jury in Kansas City, Kansas, indicted two native people for possession of office machines, books, and paintings allegedly stolen from the BIA headquarters. They are Joyce Guerro, 27, and Michael R. Ball, 19.



Portrait Of An Informer



John Arellano, Informer . . . A Face to Remember

John G. Arellano is 25 years old, and is what the press calls a 'Mexican American'. He was working for the Metropolitan Police. As an indication of the extent of police infiltration, he had been assigned by the Washington police force to gather information before the caravans had left their homes — it was only after the occupation of the building that he was assigned over to the FBI.

He had long black hair and high cheek bones. When he grew a moustache, several Indians said he looked like a Chicano, so he shaved it off. He usually wore a parka and a stocking hat.

When the Indians were inside the BIA, Arellano was among the more vocal and visible protestors. He stood in front of the building and jeered at his fellow police officers. He menaced bystanders with a table leg and other weapons he had fashioned from broken furnishings. And he also relayed information out about the defensive measures being taken by the Trail force.

When the occupation of the building ended and shares of \$66,000 of travel money put up by the U.S. to get the Caravan out of town were given out, Arellano was given \$28.

After the occupation, he disappeared for a while, but then came back on the scene with a red Volkswagen camper. He said he had gone to his home in Pueblo, Colorado, and that his mother had gotten an insurance settlement from an accident and he had paid cash for the vehicle.

He served as messenger and chauffeur for the group who remained in Washington to negotiate, and he became especially friendly with Anita Collins. "He drove me everywhere I wanted to go," she said. "He even vacuumed Hank's apartment and washed the windows."

Arellano told Ms. Collins that he had an uncle in suburban Virginia, but that he didn't like to go there because he was married to a "white girl, a legal secretary."

On the day before the arrests, Arellano and Anita Collins went to the Greyhound Bus Lines express terminal to pick up three boxes of documents that had been shipped from South Dakota. Anita paid the \$38.50 express charges, and Arellano carried the heavy boxes to his car, and a short time later, to Adams' apartment. Adams asked him to return the following morning so that he could help take the papers over to the BIA building.

Arellano didn't show up with his camper, however, so Adams asked Les Whitten, the journalist, to use his own car to carry the documents over to the BIA. When they came outside, they were arrested by the FBI.

He was a "right on" type, said John Tiger. "He was always against the system." When Richard LaCourse of the American Indian Press Association confronted Arellano saying he didn't believe he was an Indian, Arellano pleaded that he had been sent to a city to live and that he had joined the Trail of Broken Treaties to re-establish a sense of identity.

(Thanks to Peggy Simpson of the Associated Press, and Donald Baker of the Washington Post, and Barry Kalb of the Washington News for the information used in this article.)



Treachery On The Potomac

(This statement by Vine Deloria, Jr., a lawyer and chairman of the Institute for the Development of Indian Law, is author of "We Talk, You Listen". He is a Standing Rock Sioux. It is part of a larger statement published in the New York Times.)

The arrest of Adams deserves more than casual attention by the people of America because it illustrates too eloquently the established practice of the Federal Government in dealing with Indian leaders.

. . . For nearly a month, Hank Adams called, begged, and pleaded with the scattered groups of Indians to return the records that are of vital importance to the tribes. For his concern, he was vilified by the elected tribal officials and cursed by White House assistants. Yet within the month, Hank Adams had won the confidence of the protesters so that slowly but surely the documents were being returned.

. . . It is an old story to American Indians. Osceola, the Seminole war chief, could not be defeated in combat so the U.S. Army arranged to capture him during a truce and as Osceola stood under a white flag, he was taken prisoner and died from the wounds inflicted by his captors. Crazy Horse, undefeated Sioux war chief and the greatest man the Sioux Nation ever produced, was enticed to surrender at Fort Robinson, Nebraska, and arrangements were made to assassinate him. He died shortly after his surrender, bayoneted in the back as his arms were held by two American soldiers. Sitting Bull noted Sioux holy man, was assassinated during an arrest by Federal police.



Satank, extraordinary Kiowa leader, was killed by soldiers while on his way to an Army prison. It's an old, old story for American Indians.

. . . Stolen documents! Hank Adams is the only person concerned with returning the documents. Not the White House, not the Interior Department, and not the elected tribal leaders. No one else cares.

Arrest the man. But arrest him for the crime of responsible citizenship of which he is surely guilty. . . We are so few in a nation of strangers and our crimes are so monstrous. Hospitality, congeniality, friendship and trust. And we are without a champion to plead our case. The practice of treachery is not needed, for our only weapon and our only defense is our simple humanity. Treachery can never conquer that.

THE FREE PRESS: AN ENDANGERED SPECIES

(This statement of Les Whitten, the investigative reporter for the Washington columnist Jack Anderson, who was arrested with Trail of Broken Treaties negotiators in the capital of the United States, is part of a longer one printed in the Feb. 8 issue of the New York Times, to which we are grateful.)

. . . If I had been getting [the documents] "with intent to convert them to (my) own use" what would the use have been? It would have been to chronicle this nation's shameful betrayal of its native Indian people.

Such a "use" of Government documents — stolen or not —

has been protected by the Constitution and has been respected until recently by those responsible for upholding it. Now all that is changing.

The Government is asserting ownership of the documents — and the contents of the documents — in a systematic effort to hide its dealings from the people. The only reason to arrest a reporter with documents is to keep the information away from the public, because the reporter has no use for the documents except for his stories.

My arrest signals a new step in the Government's ownership of the news, of the information in its official documents. It is chilling to think that the Administration had this utter contempt for the Constitution and for reporters who try to tell the public about the frequent failings of the government.

Yet even more chilling is the fact that so few in the press itself (but, God, how welcome those few are) have spoken up about my arrest. If the press will not defend itself, can there be any hope at all?

(This editorial is part of one which appeared in the February 5, 1973, issue of the Chicago Sun Times.)

The right of the press to inform the public is in danger of being seriously eroded not only through arrests of newsmen who refuse to disclose their human sources but through a frightening emergent pattern of limiting access to documentary sources.

. . . This past week, a reporter was arrested for allegedly violating the statute under which Ellsberg and Russo [involving the Pentagon Papers] are being tried. Les Whitten, an associate of Jack Anderson, was arrested on a count of receiving docu-

ments stolen from the BIA. He had been the author of several Anderson columns claiming the federal government had mistreated Indians.

The suspicion thus arises — suddenly and sickeningly — that a law not associated directly with First Amendment press freedom could become the vehicle for limiting that freedom. The suspicion is heightened by the strong possibility of a Justice Department revision of the Federal Criminal Code will

further limit access to documents.

The theory behind freedom of information laws has been that there must be the greatest possible public access to documents, with the burden on the government to prove a document should be not made public. . .

The picture isn't at all pretty. There is enormous potential for a closed government to know enough to govern itself. The safety valve may well be that the press and other media still are free enough to alert Congress and the public to the danger.



"THIS INDIAN TENSION'S GETTING SERIOUS—WHO'S IN CHARGE OF OUR FORKED TONGUE DEPARTMENT?"

Poetry

WHISPERING THUNDER

Stone savage
wind-carved stone face
a shadow from
another time and place
My tunkashila
in his eagle eyes I see
the dim, distant past
calmly looking back at me
Tony Lama's, faded Levis
and under a Navajo hat
the old man's sunken eyes
tell of many hard winters
and too many wasichu lies
Nose hooked, a hawk's beak
has hollow cheeks
and rarely speaks
his mouth sewn shut
with dried deer gut
Skin colored walnut
like his Mother Earth
Full-blooded Lacotah
by choice and by birth
Has calloused hands
an ancient Badlands
face, wrinkled and rough
Sundance scarred chest
white waist length hair
cascading down to rest
in an old rocking chair
he'd wait and meditate
on the meaning of Fate . . .

He'd light his pipe & smoke
and maybe tell some jokes
in his old bullfrog's croak
or talk to me about women
Elk Dreams & love medicine
(making love ain't no sin)
His cracked lips would break
into a toothless smile

"My son, fat women make
a tipi warm at night."
By kerosene lamplight
he taught history
Lacotah philosophy
and wrong from right
He also lived his beliefs —
Be slow to anger
a love of nature
wisdom, generosity
bravery & humility
And the need to go
through life slowly
A teller of Iktomi stories
he lived with his memories
and about twenty dogs . . .

Voice of Thunder was born
along the Little Big Horn
sometime in 1881
His was the timeless habit
of rising with the sun
like the deer and rabbits
he refused to be baptized
civilized or Christianized
Before we ate our wojapi
pinto beans and frybread
he'd bow his frosty head
and his long white braids
would agree gratefully
with the prayers he said
(food to feed the spirits)
He drank his coffee black
with four spoons of sugar
and still rode horse back
when others rode in a car
Sometimes after daybreak
still sleepy, I'd awake
to hear him chopping wood
singing soft by the fire
Yes, when he was young
songs rolled off his tongue
(a singer and camp crier)
but a cancer-scarred lung
and his mighty voice dropped
to a horse whisper
The voice of thunder stopped
forever.

And then one autumn night
the only woman he ever loved
died in her dreamless sleep

"The woman of my long
waiting has gone without me."
He turned and limped away
A WW1 Veteran,
and the oldest human being
on the reservation
he'd been wounded many times
But those who believe
that my people don't cry
didn't see, didn't see
the broken-hearted tears
of Whispering Thunder
splash into the dry dust . . .

To the greasy grass hills
with pipe smoke he prayed
In seven days he returned
with his long white braids
cut off with a butcher knife
"There is no meaning to
existence without a wife."
A raspy sigh, a weary breath,
"There is no pain in death
only in life."

— Chaske' Pretty Voice Hawk

The child awoke this morning,
Hunger in her belly
Shivering from the cold,
looking suddenly tired & old
At age 5.
She wiped a tear from her eye
And said,
"Mommy, I had that American dream again."
Her mother nodded silently,
And rocked her in her arms
Until the memory
Of the nightmare
Had ceased . . .

— bob bacon



forgive me

forgive me, fathers . . .
the taste of brotherhood
is just too much . . .
floating free
in this land
of your seed

forgive me, fathers . . .
in these darkened days
& the lights we see
are so much different
than those that
guided you

forgive me, fathers . . .
i am young
tomorrow is just
as much ours as it
is yours & we want
to do right . . .
just passing time

forgive me, fathers . . .
i would dream
i would love
i would fight
& die for you

the taste of brotherhood
is just too much . . .
forgive me

— Karoniaktatie

THE LONELY ONE

Lounging alone
in a dim bar on the drag,
listening to a juke-box moan
I watched the waiter wringing a damp bar rag.
Then suddenly, I saw him
Turning every head in the crowd,
walking to a table tall and slim
straight as an arrow, head held high.
A beaded jacket of fringed buckskin
draped his shoulders like a princely cape,
I heard admiration in the bar's din
And saw mouths agape.
A band of beads encircled his bronze brow
Like a magnet he drew everyone near
and far attention.
Silently holding a pow-wow
A lonely figure presiding over a council of war.
Only I saw his hand slightly shake
And knew the battle in his eyes and soul.
The outward composure a fake
Within uncertain, afraid and oh, so cold,
In all that sea of bodies and faces
In recognition our eyes momentarily met,
Rejects of our inter-mixed races
Each trapped in some way in the social net.
Alcohol, jails and drugs
Objects of judicial tongue-lashing, law
Abuse and social scorn
Accepted only by the social misfits
In appearance, we handsomely dress a
Spirit lonely and torn.

— Isnala Sun-ka-ku
(from *The Hunter*)

I AM AN INDIAN SOUL

Trapped in pale obsequiousness
Blocked by concrete forms
and chaotic carelessness.

I have no where to go.

If I had an Appaloosa

I would race the wind
to the thundering falls

And there Listen to my Ancestors
their voices lamenting the broken hoop
and the dissolution of a green promise.

I am old in state
And without a single eagle feather
without a tribe
without a golden dream.

There is not a rainbow in this Country,
only the foreshadowing of clouds against the sun
And a thundering that is no longer distant.

— I Lincoln



who has given us
back our spirit

moon/turtle/howling dogs at night
we are in the hills and
deserts waiting for new
life

waiting old man and woman
for the dawn of our people
watching the death of our
nation
who has sent the song
to the eagle

sun/bear/sacred mountains and spirits

we were just watching
these new ones kill the
Earth, raping her of her
children
there was no laughing in
the places where we waited
only passed down rags
from the intruders
who has given this to us

jackrabbit/mountain lion/resting place
we were waiting in the
kiva in the sweatlodge
among our elders as our
children donned the clothes
of foreign beings
and now this new dawn
when we are told that
the old ways have come
back to us full circle

who is it beats the drum and revives
a dying nation
let these human beings and living
creatures rejoice
our nation is coming

— pineapple

POEM

There is a
world of right
to come.
It is the world
of us all
singing.
It is
the light
of knowing to come.
After us,
before us,
I have not
seen it but
it is true.
There is a
world of right
to come.

— Deirdre MacGuire

